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• (1105)

[English]

The Chair (Mr. Kelly McCauley (Edmonton West, CPC)): I call this meeting to order.

Good morning, everyone. Welcome to meeting number 158 of the House of Commons Standing Committee on Government Operations and Estimates.

Before we get to our opening statements, we're having some IT problems again. We'll do our in-person opening statements while IT tries to fix the problems. If the problems can't be fixed, we'll have to stick with only Mr. MacDonald and our in-person folks and Mr. Hickes for questions. We'll try to get it worked out.

We'll start with you, Dr. Jaime. Welcome to OGGO.

The floor is yours for five minutes. Thank you for your patience.

Dr. Angela Jaime (Vice-Provost, Indigenous Engagement, University of Saskatchewan): Thank you for the invite today. As the chair said, my name is Dr. Angela Jaime. I'm the vice-provost for indigenous engagement at the University of Saskatchewan.

I'm here to share with you today the University of Saskatchewan's *deybwewin-taapwaywin-tapwewin* indigenous truth policy. This policy, the first in Canada at any post-secondary institution, is for indigenous membership and citizenship verification of documentation.

USask has nearly 28,000 students. Nearly 4,000 of those students are indigenous. Our policy's purpose is to protect indigenous-specific space, space designed and designated for indigenous people. Our core value of the policy is principles over personalities.

The policy is about verification documentation that will be required for all incoming assertions of indigenous membership and citizenship by members of the university community where the 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 about identity. We don't use the terminology anywhere in the policy. This is about who claims you. The university is also not the adjudicator of what documentation to accept. It is the inherent sovereign right of indigenous people to determine their own membership. We listen to the indigenous governments to tell us what documentation they want us to accept from their members or citizens. We follow the Inuit, Métis and first nations people of Canada.

Any student or employee of the university seeking a material advantage is required to proceed through our verification process. Our in-house designed portal system collects the information and stores the documentation for review and verification. Our policy is part of a larger intention to decolonize the institution through our indigenous strategy *ohpahotân-oohpaahotaan*, or let's fly up together. We are committed to ensuring indigenous space and resources going to indigenous people. We've spent the last several years working to indigenize the university, and this is part of that—to create safe and accountable spaces for all indigenous people.

Thank you.

The Chair: Thank you very much.

Mr. Obed, go ahead for five minutes, please.

Mr. Natan Obed (President, Inuit Tapiriit Kanatami): *Nakur-miik*. Thank you. I really appreciate being able to speak here this morning.

I'm the president of Inuit Tapiriit Kanatami. ITK is the national representational organization for the Inuit of Canada. All Inuit in Canada have concluded modern treaties with Canada. The Inuit treaty organizations are the Nunatsiavut Government, Makivvik, Nunavut Tunngavik Incorporated and the Inuvialuit Regional Corporation.

Our homeland, Inuit Nunangat, comprises over 75% of Canada's shoreline and over 36% of Canada's land mass. The social and economic disparities between Inuit in Inuit Nunangat and Canadians residing in the south are nearly as vast as this territory.

The dramatic expansion of procurement opportunities for Inuit is one of the key elements of reducing these disparities. Canada is an arctic state and requires robust infrastructure, labour markets and business climates in order to ensure Canada's Arctic is secure and prosperous.

Canada and Canada's allies should support an indigenous procurement policy that will enable Inuit, Inuit treaty organizations and Inuit businesses to contribute to the business climate reforms, enhanced labour market measures, and shifts in civilian and defence procurement policy to ensure a continued and growing Canadian ability to work in the Canadian Arctic. 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. Our work on procurement has most recently been developed through the Inuit-Crown Partnership Committee. In 2016, Inuit and the Crown signed the Inuit Nunangat declaration in Iqaluit, Nunavut. This declaration establishes the Inuit-Crown Partnership Committee, which is a vehicle for representatives of the Crown and Inuit leadership to identify shared priorities for action, to create work plans and to work together on time-bound and whole-of-government deliverables to achieve our shared goals.

One of our shared priorities is procurement and involves representatives of Inuit treaty organizations, as well as federal officials from Indigenous Services Canada, Public Services and Procurement Canada, Employment and Social Development Canada, Treasury Board Secretariat, Innovation, Science and Economic Development Canada, Natural Resources Canada, CanNor and other regional development agencies.

Much of this work involves work to support the transformative indigenous procurement strategy. Much of our work has been focused on developing definitions for 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 section 35 treaty rights, so both Inuit and the Government of Canada have experience in applying them.

Together, the working group developed a definition of an Inuit business outside Inuit Nunangat and revised procurement guidance and policies to increase Inuit participation in federal procurement. This guidance includes directing procurement officers to refer to the regional Inuit business firm registries when verifying who is an Inuit business. This is in line with Inuit self-determination, a fundamental part of economic reconciliation.

Guidance also includes providing targeted advance notice of procurements within Inuit Nunangat to allow Inuit businesses and firms to prepare a bid. At the same time, Inuit and Canada are finalizing definitions for an Inuit business. Canada has been working on the outsourcing of the indigenous business directory to a third party indigenous organization. Indigenous Services Canada seeks to outsource this by March 31, 2025. ITK is not in favour of outsourcing the indigenous business directory. Inuit have a relationship with the Crown and not with a third party. Outsourcing may undermine this relationship and the work that has been achieved through the Inuit-Crown partnership process.

Nakurmiik.

• (1110)

The Chair: Thank you very much, Mr. Obed.

Mr. Irngaut, we'll give you a try again. I may have to interrupt you, but why don't we go ahead and see if the interpretation will work.

Go ahead, sir.

Mr. Paul Irngaut (Vice-President, Nunavut Tunngavik Incorporated): *Qujannamik.* Thank you.

Good morning, honourable Chairperson and members.

My name is Paul Irngaut. I'm the vice-president of Nunavut Tunngavik Incorporated, commonly known as NTI—

The Chair: I apologize. The interpretation is not working. We're not going to be able to proceed with you. I guess any questions for your organization we'll give to Mr. Hickes, and we'll perhaps see if we can get you sorted out and bring you back at a future time.

Mr. Sergerie, we're going to try you again. I may have to interrupt you, too, but go ahead.

Mr. Dave Sergerie (Strategic Projects Coordinator, First Nations of Quebec and Labrador Economic Development Commission): Good morning. *Kwe.*

My name is Dave Sergerie, Anishinabe from Timiskaming First Nation. I work on FNQL's Economic Development Commission in support of 43 first nations communities in Quebec.

Thank you for having me again today.

First nations businesses and entrepreneurs are—

• (1115)

[*Translation*]

Mrs. Marilène Gill (Manicouagan, BQ): Pardon me, Chair.

[*English*]

The Chair: Let me interrupt you for a moment, sir.

[*Translation*]

Mrs. Marilène Gill: Unfortunately, the interpreter is signalling that the sound quality is not good enough for interpretation.

[*English*]

The Chair: Mr. Sergerie, I apologize. We're going to have to try perhaps a third time. Maybe it'll be third time lucky. We're not going to be able to proceed with you today. I apologize. Thank you, though.

I apologize for the IT issues. We'll chat among ourselves and see if we can find time to bring these witnesses back.

Colleagues, we'll start our first round with Mr. Genuis.

Go ahead for six minutes, please.

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): Thank you, Chair.

Mr. Obed, it's good to see you. Thank you for coming. I don't think we've ever met, but I think I've probably seen you on a few flights, now that I think of it, because I imagine you fly through Edmonton.

You have told The Globe and Mail that the current standards for the indigenous business directory are far too inclusive. I found this quote to be interesting:

We are now living in an era where there are tremendous opportunities to be had for qualifying as a First Nations, Inuit and Métis business.... There are many actors in this country who want to take advantage of that.

What I understand you to be saying is that, if you have a self-identification model, you're going to have unscrupulous people who are going to self-identify in whatever way they determine to be in their interest to self-identify. That's why it's so important that we don't just have a sort of self-identification model for programs.

I wonder if you want to comment on that. Maybe just share your thoughts on this kind of self-identification model that we've been seeing in a lot of different places.

Mr. Natan Obed: There are many sides to this.

For jurisdictions like municipalities, provinces, territories and the federal government, which have had an ambition for a certain percentage of procurement that is indigenous procurement, there's an incentive to meet that target. For those who wish to fraudulently take advantage of this particular space, there is an opportunity to find a way to be an indigenous business, to then take advantage of that material advantage, as Angela has described.

First nations, Inuit and Métis who have secured section 35 status have created constructive arrangements, whether they be modern treaties or other arrangements, with the Government of Canada and often have economic development considerations within them. They are now competing with another class. They are now competing with another class of, I would say, bad actors within this space that governments have been unwilling to hold to account.

We need to go back into the relationship between.... For our case, for Inuit, we've gone through 40 to 50 years of treaty-making with the Government of Canada. We have worked with you to compromise and create structures that we now are demanding the Government of Canada abide by. We didn't ever anticipate that our Inuit businesses would be in competition with newly formed indigenous collectives that don't have section 35 status and just assert that they are an indigenous collective and then, all of a sudden, are eligible to bid on opportunities alongside the structures that we've created.

Mr. Garnett Genuis: I think you made an important point there. There is a perverse incentive on the part of businesses to pretend to be indigenous to take advantage of these opportunities. However, there's also a perverse incentive on the side of the government and other entities that are trying to say they've met a target. By having an overly permissive standard that, in reality, includes non-indigenous businesses in the category of indigenous, they can trumpet having met some kind of a target, which in reality they haven't met. I think we do see a lot of that from this government, a desire to show success that is beyond that merited by the evidence.

I want to ask you about enforcement as well. There's the issue of what the review standard is and who qualifies, but there's also the issue of enforcement. We found that, for subcontracting, for example, there are clear rules. If you're benefiting from that indigenous procurement opportunity, you can't subcontract exclusively to non-indigenous businesses. A third of your subcontracts have to be indigenous as well, yet there's no tracking of subcontracting.

There seems to be a complete lack of enforcement around that subcontract rule, which allows a bait and switch as well, a promise that there are going to be subcontracts to certain companies that then are not there. Do you have reflections on the enforcement around some of these rules and the extent to which that's part of the problem?

• (1120)

Mr. Natan Obed: Yes. It also touches on the position of Inuit Tapiriit Kanatami that the enforcement should not be given to a third party external to government. The federal government has the tools to enforce. Third parties often do not. They don't have the legislative base. They don't have the resources. Often they don't have the general terms and conditions from government to do that particular work.

If we want to be real about ensuring that indigenous peoples benefit from these indigenous incentives—the entire structure, why this exists at all, is based on inequity and based on the rights of indigenous peoples to participate—we need enforcement, recourse and remedy for those who wish to take advantage of these systems or do not qualify for them. What we've pushed for at ITK is a very clear definition of who Inuit are. We've created an Inuit Nunangat policy. It was adopted by the Government of Canada in April 2022. It clearly defines within it who Inuit in Canada are. We've already done that through our treaties as well. We continue to work with government to try to have every corner of the federal system understand who Inuit are, and who is in and who is outside of that catchment.

Unfortunately, in the research community and also in the procurement community, the guidelines about who is eligible often are far too inclusive and are at odds with the Inuit Nunangat policy.

The Chair: Thank you very much.

Mr. Sousa, go ahead, please.

Mr. Charles Sousa (Mississauga—Lakeshore, Lib.): Thank you, Chair.

Thank you for being here as witnesses. I'm sorry that those who are virtual can't participate. This is an important discussion we're having.

Mr. Obed, you spoke about the vastness from the far north to here on the southern border, let's call it, of economic disparity as well, consequently, and hence the whole purpose of trying to put forward a procurement strategy that engages, promotes and enables greater success for indigenous people. I'm not going to get into how you define who is indigenous or not. I think you've clearly stated that you have a sense of what it should be, in your mind. I'm looking at what has happened in the past where under previous governments there was very little procurement and engagement in strategic initiatives to promote indigenous businesses.

That has been happening now. It may be that there's a lack of consistency in terms of how it is defined, given what we're trying to achieve, but we are achieving more. I appreciate your talking about enforcement, because then it begs the question of who should be the enforcer. On the one hand, you don't want government determining who should be indigenous, and yet on the other hand, you want the government to enforce the indigenous aspects of procurement. We have to be sensitive about how we proceed in a way that facilitates a collaborative engagement with members of the communities. When I consider where it's been to where it's going, I'm encouraged by it. Can we do better? Absolutely.

Can you give us a sense, then, of your engagement with government when it comes to this matter versus the private sector? Are you involved in private sector procurement? I know you're concerned about other RFPs or other bids that may or may not include members of the indigenous community, and we need to protect that. At the same time, you want to bid on contracts with the private sector who are not indigenous specifically.

Can you comment on that?

Mr. Natan Obed: Thanks for those questions.

To one of your points, like it or not, the federal government has been in the business of working with first nations, Inuit and Métis to define who indigenous peoples are in this country. Our modern treaty process, which was spurred in the 1970s through the Government of Canada-led negotiations protocols or frameworks or guidelines, demanded that we create land use and occupancy studies and that we then negotiate provisions around beneficiary status.

These agreements are shared between Inuit and the Government of Canada. It is the business of the Government of Canada to work with indigenous peoples on creating status, which is why, then, we hold government to account for the negotiations that were concluded and the constitutionally protected agreements we have that include beneficiary status for all Inuit in this country through the four treaty organizations.

We want to lean on all that hard work in the way we undertake how Inuit participate within Canada's economy and in the procurement for federal contracts. Inuit have relations with many different private sector industries. Again, we lean on our modern treaties and our land claim agreements, especially for large-scale natural resource extraction projects, where we—

• (1125)

The Chair: Mr. Obed, I'm sorry. I have to interrupt for a second. I've paused the clock.

The bells are ringing. Can we have UC that we'll continue with our witnesses and then vote virtually? We'll suspend for about five minutes to do that.

Some hon. members: Agreed.

The Chair: Wonderful. Thanks very much, everyone.

Please go ahead, Mr. Obed.

Mr. Natan Obed: We have structures in place to ensure that at the subnational level—Nunavut Tunngavik hopefully will be able to answer this as well—for private sector opportunities each of our

treaty organizations has a positive relationship with these sectors and can benefit as much as they possibly can from these opportunities. At ITK we focus more on the federal government. We are a national organization. That's what I'm more comfortable speaking about.

Mr. Charles Sousa: Thank you for that.

I do appreciate the work you do in regard to some of those major projects, especially up in the Arctic, where there's an issue of sovereignty. There's an issue of defence. There are other competing nations that are trying to also infiltrate in some of those projects where the indigenous people are playing a major role with private sector mining companies and so forth. I commend you for those.

You talked about the need to do this right in order to promote your success. You talked about the fact that there's a lot of opportunity we need to tap into as we go forward. Are the processes that have been put in place facilitating that ability?

I'm just comparing it with what it's been in the past. Very little was done by previous governments to where it is now. We need to do a lot of things to improve upon it. Can you comment on where it's been and where it's going?

Mr. Natan Obed: I can think of the example of the north warning contract. It was operated with an Inuit joint venture for a number of years. Then it was passed to Raytheon, a U.S. company. The north warning contract provides support for all of the DEW Line sites across Canada's Arctic, across a number of latitudes. It is a joint American-Canadian project and dates back to the Cold War era. Inuit are now operating that contract again. We were very pleased to be awarded that contract in the last couple of years.

I think in that scenario, if we'd had a structured relationship for procurement at the time when the defence contract went from an Inuit-controlled interest to an American-controlled interest, perhaps that wouldn't have happened. Perhaps there would have been more considerations in place for indigenous interests or indigenous businesses that just weren't formalized at that time.

There has been a lot of progress. We see more and more Inuit businesses who are wanting to work on federal contracts and who are mobilizing to do that with partners or by themselves.

• (1130)

The Chair: Thank you, Mr. Obed. We're about a minute past our time, but I wanted to give you a lot of opportunity to answer the question.

Ms. Gill, welcome to OGGO. The floor is yours, please.

[*Translation*]

Mrs. Marilène Gill: Thank you, Chair.

I want to thank the witnesses for their participation today.

Ms. Jaime and Mr. Obed, in your respective opening statements, you raised a number of important points. You talked a lot about obstacles. I get the impression there was good will behind this idea of offering procurement opportunities to indigenous businesses, but perhaps it all happened too fast.

Ms. Jaime, you talked about the criteria for an individual to obtain indigenous status, but verifying indigenous businesses was also mentioned. I'd like to hear more from both of you on that issue. I know the work is ongoing and you mentioned that it would be completed by March 2025.

However, right now, some people who are not indigenous are taking advantage of opportunities for indigenous peoples, so what should we do? What distinction should be made, for example, between an Inuk person and an Inuk business? Based on what criteria should a business to be recognized as indigenous? We know that a company's status could be determined by its owner, but should it also be determined by its employees, suppliers and subcontractors? I know the work isn't finished, but I think that question should be top of mind.

[English]

Dr. Angela Jaime: I think I understand that question. What were our obstacles? At the University of Saskatchewan we do procurement and we use our policy for procurement process. For anyone who is going to seek indigenous-specific space—so for these kinds of contracts where it's for indigenous companies—they go through our process for verification of documentation. We're not asking for their lineage; we're asking for the documents that the community itself is requesting that we accept.

We do have an agreement with ITK, which adjudicates the four collectives, the beneficiary's documentation. When Inuit people come to the University of Saskatchewan seeking indigenous-specific space, they submit their beneficiary card and we double-check that with ITK, which then communicates that with the four collectives.

I think I'm answering your question.

[Translation]

Mrs. Marilène Gill: I'd like to ask you an ad hoc question. You say that you check with the community. Well, it might not be the same for First Nations or Métis, because there can also be companies outside the territory or the community. Some are off reserve and not affiliated with a band.

In fact, what's being illustrated here is that there isn't really a uniform process. The University of Saskatchewan already has a good process for this, but it's not necessarily the same one the government uses. It's done differently in different communities, be they Métis, Inuit or First Nations. I know you have standards at the University, but it would be different elsewhere.

[English]

Dr. Angela Jaime: Yes, we did establish this to be proactive—

[Translation]

Mrs. Marilène Gill: There are no standards.

[English]

Dr. Angela Jaime: —to continue to not allow for fraudulent claims on indigenous membership or citizenship.

The same thing we do with ITK we do with the Métis governments and first nations bands. We go directly to the bands, which is a bit different from going directly to Métis Nation-Saskatchewan or

to ITK to do the adjudication. We go directly to the bands to ask them what documentation they want us to accept. Is it a letter? Is it a status card? Is it both? Is it some other form?

Mr. Natan Obed: I would just add, for Inuit, no matter where our beneficiaries live, they are still beneficiaries of our treaty organizations. We don't fall under the Indian Act. We don't have on reserve, off reserve. We are able to present as a collective to the University of Saskatchewan or to the federal government, and that all Inuit in the country fall under the purview of the treaty organizations and then at the national level, ITK.

I want to call on Will David to answer the other part of your question on the details of what constitutes an Inuit business.

• (1135)

Mr. William David (Director, Legal Services, Inuit Tapiriit Kanatami): As we noted in our opening remarks, we have a mechanism with the Crown to do work on joint priorities. The Government of Canada and Inuit have jointly decided that for the purposes of procurement defining an Inuit business is something that we all want to work on.

As a threshold matter, just defining who is Inuit is a top-level issue. It is a separate issue we had worked on through that mechanism, just to specify that when we're talking about Inuit in Canada, the federal government, ITK and ITOs agree who the collective rights holders are—that is to say, the Inuit treaty organizations enlisted them. Each of those treaty organizations, in turn, has its own definition for what constitutes an Inuit business within their region or for their members. Then, we're working with the Government of Canada to deal with those issues where there may be Inuit businesses that involve Inuit from multiple treaty organizations as well.

However, that's really just to provide the definitional basis to be able to measure and assess whether a recipient of a contract is, in fact, an Inuit business consistent with federal policy as well as the definitions developed by ITOs.

The Chair: Thank you very much.

Mr. Boulerice, it's over to you, sir.

[Translation]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Thank you very much, Chair.

I want to thank the witnesses for joining us today for this important study.

[English]

The Chair: Mr. Boulerice, I apologize. We're not getting a proper connection for you, sir. Maybe we can flip to our next round with Mr. Genuis while we get IT to contact you. If we can get you working, we'll slot you back in for your six minutes.

Go ahead for five minutes, Mr. Genuis.

Mr. Boulerice, we'll follow up with you.

Mr. Garnett Genuis: Thank you, Chair.

Getting back to our witnesses, when I finished my last round, we were talking about the complete lack of enforcement. I think it's pretty stark in terms of the issue of enforcement. Over a thousand companies have been removed from the indigenous business directory. There are various reasons for that. It could be a change of ownership, but over a thousand companies have been removed from the indigenous business directory, including notable cases like Dalian Enterprises, involved in the arrive scam scandal, and the Canadian Health Care Agency, part of a very suspicious joint venture.

You have all these companies being removed from the indigenous business directory, and yet not a single company has ever faced consequences for indigenous identity fraud. Our position would be that indigenous identity fraud is fraud. If you're trying to gain a financial advantage through indigenous identity fraud, then that should be treated with all the seriousness that any other case of fraud would be treated with. Actually, frankly, none of this is being treated very seriously by the government. In any event, all fraud should be treated seriously, and that should include indigenous identity fraud.

Do you have a response to the fact that not a single case of consequences for indigenous identity fraud has been identified?

Mr. Natan Obed: It's unacceptable. We are hoping that in the future this country will create legislation, or will create enforcement mechanisms for existing legislation, to treat this issue for what it is—fraudulent activity.

We do have growing case law. Just this year, an individual has been sentenced to federal prison, a three-year sentence, for her role in defrauding Nunavut Tunngavik. It's too bad Nunavut Tunngavik is not able to speak about this today. We also know that in the United States there have been cases where individuals, groups or collectives who have fraudulently identified as indigenous peoples have been sentenced and served time in jail.

Fraud is fraud. Some of this meets the threshold of millions of dollars. It should be treated with the same consequence that any other sort of fraud within the business community is dealt with. We look forward to strengthening the enforcement mechanisms in relation to this scenario, which is, frankly, growing. If it is not checked, it will become an existential crisis within this country for the delineation between who is indigenous and who is not and another form of colonization where those who are not indigenous are taking material advantage from indigenous peoples.

• (1140)

Mr. Garnett Genuis: An existential crisis and a new form of colonialism—those are very strong words. Thank you for sharing your reflections on that.

The time is running short, but do any of the other witnesses want to comment on the same point?

No. There's no need to if you agree. Okay.

What percentage of federal government contracts do you see as presently going to properly identifiable Inuit businesses?

Mr. Natan Obed: Thanks for that question. This also leads us into another point.

We currently do not have the data to be able to understand, from a distinctions base, what the Inuit percentage of indigenous procurement is. We have worked through the Inuit-Crown partnership committee to ask for this data. We don't have it yet. It would help us immensely. We're all trying to reach a threshold, and we would love to be able to—

Mr. Garnett Genuis: You don't have it. Do they not have it, or are they just not giving it to you?

Mr. Natan Obed: I don't know.

Mr. Garnett Genuis: Okay.

Well, let's make this simple: Does the committee agree to order the production of this information?

Some hon. members: Agreed.

Mr. Garnett Genuis: Great.

We can help you get access to it through the committee, then.

One concern I have is that when I look at some of the numbers for indigenous businesses, many of them that are getting large amounts of contracts seem to be geographically based in Ottawa. There's nothing wrong with being based in Ottawa, but you would expect or you would hope that for indigenous procurement, businesses that are based in the homeland areas that you've identified would be able to get contracts.

Do you have any observations around businesses that are based in your areas getting these contracts versus people needing to move to the south in order to benefit from these opportunities?

The Chair: Please offer a brief response, if possible.

Mr. Natan Obed: I would say there's a very nuanced answer to this that I don't have time for. What we're looking for is legitimacy in these institutions. The geographic location of them may be suited better for the opportunities. We're just looking for a level playing field.

The Chair: Thanks.

We'll go to Mr. Bains now. Then we'll try Mr. Boulerice again.

Go ahead, Mr. Bains.

Mr. Parm Bains (Steveston—Richmond East, Lib.): Thank you, Mr. Chair.

Is my sound good? I didn't get a chance to do a sound check.

I'll continue with my questions—

The Chair: No. This day is just jinxed. You're not coming through well.

I just found out that Mr. Boulerice has changed some settings, so he might be good to go. Let's go back to him while we try to get you sorted out, Mr. Bains.

My apologies, everyone.

Mr. Boulerice, let's try again, please.

[Translation]

Mr. Alexandre Boulerice: Thank you, Chair.

I hope that, now, everything is working properly and that interpretation can continue.

[English]

The Chair: No. I'm afraid it's not working.

Mr. Bains' mic is not working, so perhaps we can go to Mr. Kusmierczyk. He's next on the Liberal list.

Go ahead, Mr. Kusmierczyk.

Mr. Irek Kusmierczyk (Windsor—Tecumseh, Lib.): Thank you so much, Mr. Chair.

Thank you so much to the witnesses for their testimony today.

Mr. Obed, you mentioned large-scale natural resource projects and the opportunities they represent to indigenous communities. How does the federal procurement strategy for indigenous businesses fit into that opportunity? How does it help leverage the opportunity that's there in resource extraction?

• (1145)

Mr. Natan Obed: If you think of the holistic opportunities in Inuit Nunangat, government is by far the largest employer within our jurisdictions. Natural resource extraction is also a significant part of Inuit Nunangat economies. The ability to create a business and then stage that business and grow it is so different from in the south. Often the large-scale construction work, even some of the resource extraction work and construction, is seasonal. In operations phases, often it's year-round, but the opportunities are not spread out over 365 days, if you will.

The opportunities that we have to create businesses that can then go after federal contracts—I'm thinking of the opportunities that will come to pass for defence and sovereignty in particular—are sometimes very similar to natural resource extraction, especially in infrastructure across Inuit Nunangat in terms of construction and operation and maintenance. Many of our businesses provide site services to mining projects or construction opportunities for mining projects. That links in with the investment opportunities Canada has in the Arctic for increased infrastructure. We're looking to create a scenario where there's certainty within our business community that if you create a business and you grow it, there will be opportunities. Procurement from government contracts is one part of your business imagination or opportunities, and the natural resource sector is another.

Inuit have been champions of economic development, but within the framework of our modern treaties and the compliance of all businesses to our land claim agreements and the provisions within our agreements about the positive relationship between these projects and Inuit self-determination.

Mr. Irek Kusmierczyk: I appreciate that very much. We often talk about the procurement program just in terms of contracts and economic opportunities, but this is also a training opportunity. It's an opportunity to build a talent pipeline in indigenous communities.

Could you perhaps talk a little bit about how the procurement strategy for indigenous businesses boosts skills development and the talent pipeline in indigenous communities? How important is it for that?

Mr. Natan Obed: A lot of business opportunities flow to not just private Inuit entities but also rights-holding institutions. We have development corporations in each of our regions. Sometimes there are up to three in one of our jurisdictions in Nunavut. Their stakeholders, the people they work for, are Inuit. Often their boards have obligations, such as to hire a percentage of Inuit and to have aspirations that would have Inuit in senior management or leading projects, that are above and beyond government requirements. It is an essential part of their reason for being. Having more access to government contracts through procurement allows for these types of companies to flourish instead of those who are fly-in and fly-out, who don't have a mandate to increase Inuit employment and Inuit participation in the workforce, and who don't return dividends back to Inuit communities.

The increased participation of Inuit in federal procurement allows for Inuit self-determination to fully take shape. In our aspiration for self-governance, it also allows for us to take care of our citizens in a more complete way than we do now.

The Chair: You're past time, but if you have another question, go ahead.

Mr. Irek Kusmierczyk: Okay.

I imagine it also strengthens the networks within indigenous communities in terms of mentorship and strengthens opportunities for indigenous communities. Is that correct?

• (1150)

Mr. Natan Obed: Yes.

The Chair: Thank you for filling in, Mr. Kusmierczyk.

We'll go to Ms. Gill for two and a half minutes. Then we'll suspend to vote.

Go ahead, ma'am.

[Translation]

Mrs. Marilène Gill: Thank you, Chair.

Obviously, fraud was one of my concerns. Work is being done, then, on the real 5% and the effective 5%. I'm worried too. I come from a northern riding where 15% of the population is indigenous and where businesses are very dynamic and innovative. However, I know that their location can make it harder to compete. I was wondering whether, in the allocation process, it is sometimes more difficult for indigenous businesses to participate fully. Indeed, that competition might not necessarily be the same because of resources. For example, you mentioned shorter seasons. It's the same in my riding. I'd like to hear what you have to say about that, about the current situation and what can be done about it.

Earlier, you didn't have enough time to answer a question and you said there were many details to provide. If you ever want to complete your answer, you can pass it on to the committee. We'd be very grateful.

[*English*]

Mr. Natan Obed: In relation to procurement, there are all sorts of ways for status quo to be maintained. I think what we look to the federal government for is to identify some of those challenges that historically have excluded indigenous peoples and try to break down those barriers. It can be anything from the scope of the particular tender, or the RFP, to the bonding issues. There are all sorts of ways in which you can write indigenous peoples out of an opportunity and, if you imagine a large corporation that perhaps governments have worked with before, into that particular opportunity.

We know that there is subjectivity in all of this, in the way in which procurement happens. What we're looking for is equity, a fair space to be able to present our businesses in a way that doesn't preclude them from getting contracts.

[*Translation*]

Mrs. Marilène Gill: I wouldn't have thought so, but I still have some time.

You talked about accountability as well. I know that's one of the missing pieces. What do you recommend? Since we have very little time, you can follow up in writing with that information also. Precisely because accountability is lacking, we aren't necessarily in a position to know who received how much, for instance.

[*English*]

Mr. Natan Obed: Thanks.

I'll pass the floor to Will to answer this one.

Mr. William David: Improving accountability is one reason that we focused efforts on defining an Inuit business. It makes it easier to track, whether or not businesses that the government would report as indigenous or Inuit fall within that definition. As a threshold matter, getting information out of the government in terms of how contracts are awarded requires a robust definition, which is what we have worked toward to date. The next step is, again, getting some degree of transparency in reporting.

The flip side of that, on remedy, is broader recognition of the relevance of fraud within this space—we noted that there were instances of fraud, just not in the space of procurement or economic development to date—as well as potential Criminal Code reforms, which would work as an analogue to similar laws in other countries

to prevent organizational or corporate fraud in order to secure contracts under the cloak of being an indigenous business.

The Chair: Thank you very much.

We are now going to suspend for a few minutes. We'll do our vote.

Mr. Bains, we'll try to get you set up as well while we're on suspension.

Thanks, everyone.

• (1150) _____ (Pause) _____

• (1205)

The Chair: Thank you, everyone, for your patience while we voted.

We're now going to the NDP. If you're keeping scoresheets, we're in our second round. We're going to combine the two rounds, so you have eight and a half minutes.

Welcome back, Ms. Idlout. The floor is yours for eight and a half minutes.

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

Thank you to the witnesses for appearing on this important matter.

My first set of questions is directed to Dr. Jaime. I want to begin by acknowledging the extensive work that you have done over the past two years in leading the University of Saskatchewan on indigenous identity. I congratulate you on the recent agreement between Inuit Tapiriit Kanatami and USask on this path. I think this is such great, important work. I'm glad to see both of you here.

Dr. Jaime, I'd like to first ask about undertaking the work of indigenous identity and verification in a culturally appropriate and sensitive manner. It feels as though there is a rush to find the villains of these stories, and that comes at the price of undue attention and burden on indigenous peoples and nations. Can you describe some of the considerations that individuals, organizations or institutions should consider before approaching an indigenous group about an individual's citizenship in a specific nation?

• (1210)

Dr. Angela Jaime: We had feedback about whether or not asking for documentation is a burden upon the individual and then the verification being adjudicated by the community itself. The feedback we received directly from the community was that, rather than having the university, which has no business making these determinations, they'd prefer that the community make the determination. They are willing to take on that burden, the ones that we had that conversation with. It's their sovereign right, and we're honouring and respecting that.

With the agreement among Métis Nation-Saskatchewan, ITK and other first nations communities within Saskatchewan, they've all been very forthcoming and responsive to our requests. Rather than our making that decision, we ask them what documentation they want us to accept. There's always a burden, but I think that indigenous people are always willing to take on the burden to ensure that the space is taken up by indigenous people.

Ms. Lori Idlout: *Qujannamiik.*

Dr. Jaime, I know that your work is very motivated by high-profile cases of identity fraud at the University of Saskatchewan. Without a doubt, there are instances of fraud at other institutions or organizations that are completely unaware of the fraud that's taking place in front of them or are unwilling to do the work because it's too embarrassing or inconvenient.

What would you say to those people who are either unmotivated to do this work or don't care to do it? I ask this specifically because we need to find out why it's so important that non-indigenous peoples undertake this work, even if it might do some reputational damage.

Dr. Angela Jaime: That's an excellent question.

It's important because what we're seeing now and for the last three and a half years are a lot of conversations about this being an indigenous-specific issue, and what, as indigenous people, are we going to do about it. While that is true—we did have conversations as academics together in two different forums—we now realize so much more about these.... Institutions across Canada are making these decisions with non-indigenous people at the helm, so how do we help to ensure they're making the right decisions? Non-indigenous folks need to be brought to the table to have that conversation. That's the next phase of this conversation.

Our task force that developed this policy was all indigenous. Our standing committee is indigenous. One of the messages that I deliver whenever I'm doing this presentation on our policy is that, as institutions, they have to trust their indigenous employees, decision-makers and senior leaders, which was not the case in the past, and make sure they're resourcing the opportunity for them to do this work and putting them in positions that are decision-making and not just advisory.

It's really important to have these conversations with non-indigenous people—educating, dialoguing, making sure they understand, and motivating them to do the work, as you said—because we know, as the president said, that fraud is fraud, and there have to be consequences to taking up indigenous space when you yourself are not indigenous. Therefore, in holding them accountable, the institution has to hold the line.

Ms. Lori Idlout: *Qujannamiik.*

Dr. Jaime, in your experience in undertaking this work, what is the ability of first nations or Métis groups to respond to requests for verification? I would imagine that, for well-established groups like ITK, this work can be challenging but it can be done. However, for nations with little capacity or resources, for example, in the far north of Saskatchewan, it can be quite challenging.

• (1215)

Dr. Angela Jaime: We know that we're asking a lot of indigenous communities, first nations communities specifically, that have small numbers and/or lack of capacity within the band office to answer the questions, and so we're willing to provide them with support with whatever they need, however we can support them. As an institution, we have those resources to be able to provide....

We also don't have thousands of requests from the smaller first nation groups, but once we have had a conversation with them, we don't have to keep going back and forth. When they say, "We'd like you to accept a status card and a letter from us," then the request actually comes from the member itself, not from the institution. The member who's seeking that indigenous space is contacting their own community to receive the letter. Again, we're helping the indigenous communities as much as we can, supporting them and making sure that we're collaborating with them in every possible way.

Ms. Lori Idlout: *Qujannamiik.*

Just to shift to what others need to do, how can we make sure, for example, that the federal government is aided in managing identification requests? For example, if first nations are under-resourced to deal with these matters, how can we make sure that our federal government departments are informed and educated to ensure that they do need to provide proper resourcing to help first nations address these matters?

Dr. Angela Jaime: One way they can ensure there are resources provided to best answer those questions is to hire indigenous people, to make sure that indigenous people are, again, decision-makers and to make sure they're resourcing the communities that are being asked to request this information.

I've had many conversations and have done many presentations to provincial and federal agencies about our policy, explaining the ins and outs of it and some of our challenges, but also a lot of our successes with the policy. Again, it's motivating them to take that next step toward ensuring that and upholding accountabilities and consequences when fraud is discovered.

The Chair: Thank you very much.

We'll go to Mrs. Block, and then we'll go to Mr. Bains.

Mrs. Kelly Block (Carlton Trail—Eagle Creek, CPC): Thank you very much, Chair.

Thank you as well to all of our witnesses for joining us today.

Dr. Jaime, I want to join my colleague in acknowledging the very good, proactive work that is being done at the U of S. I appreciate, as well, the distinction between establishing identity versus verification, which you highlighted in your opening statement. You mentioned it was work that was done proactively. What was the imperative that drove this initiative?

Dr. Angela Jaime: There were many imperatives.

We had a case within the University of Saskatchewan specifically that was being managed at the time when we started to contemplate what we should do to ensure that this doesn't happen again or at least to try to be proactive about situations that might come up in the future, as well as to establish a line and establish that there is accountability that an institution has to ensure that space be held by indigenous peoples. Then, across the country there were other cases that were coming up of fraudulent claims on indigenous membership or citizenship.

This pre-empted the conversation throughout the country and also within the United States, where that had already happened several times. With this being at the forefront of how we protect that space and create safe and accountable spaces for indigenous people, a policy made the most sense, not just a process but something that had teeth, accountabilities and consequences as well.

• (1220)

Mrs. Kelly Block: In response to a question by Madam Gill, you outlined the process that you use to verify whether a person who claims to be indigenous is, in fact, indigenous. Have you ever been confronted with a situation in which you were unable to verify a claim of indigeneity by an individual?

Dr. Angela Jaime: We had a couple, not many—I would say one or two—that came up and, at the present time, are not able to complete the verification process because a community, maybe, doesn't have section 35 rights and is not part of the bilateral agreement. That doesn't mean that, in the future, if that were to change, the individual couldn't come back and then go through the process successfully. However, at the present time they would not be able to.

There have been other scenarios in which individuals have submitted verification or documentation for verification and it hasn't been the documentation that was requested for us to accept. We've asked the individual to go back to their community to seek that documentation, and then, we're not actually the ones denying them. It's the community that is holding them accountable as well.

Typically, for those who are seeking that space and are fraudulent, a policy like this really deters them from proceeding forward because they know there are set guidelines, a standing committee that adjudicates that, and we're working directly with communities. Therefore, we've had fewer opportunities for individuals to claim and to be fraudulent.

Mrs. Kelly Block: You highlighted a specific case that began the process of creating this policy. What, if any, consequences would an individual face for being found to have fraudulently claimed indigeneity?

Dr. Angela Jaime: At the present time, if you're seeking that space, you automatically go through the process. It sort of pre-empts fraud, right? They're told that they're either verified or not verified.

If it's an individual who's already in the institution and is an employee of the institution or a student and has sought space before the policy existed and is now navigating to occupy more indigenous-specific space, it triggers the policy so that they then have to go through the process.

We weren't able to grandfather everyone into the policy immediately who was already in those indigenous spaces in the institution. They would have to navigate through the institution in order for it to trigger the policy. It would have been violating the human rights.

Now, when a professor who's been there for 20 years wants to apply for a grant that's indigenous-specific, they have to check the box that they're indigenous and then immediately they're sent to my office to go through the verification process.

There is a way that it triggers those who might have been in positions and had been fraudulent. At that point, if they're not able to successfully go through the process, they're denied the ability to hold that space. If someone is—

The Chair: I'm sorry. We're quite a bit past our time, but I think we'll be able to get back to you.

Mr. Bains, let's try again, sir.

Mr. Parm Bains: Thank you, Mr. Chair.

Thank you to our witnesses for joining us today.

I'm going to direct my first question to Mr. Obed.

You indicated that you value accountability and enforcement mechanisms that come with government oversight. We've heard from some other witnesses about having them value an indigenous-led process that's independent from the complicated relationships nations have with government departments. Do you have any suggestions on how we could bring together these two systems, which may be fundamentally opposed?

• (1225)

Mr. Natan Obed: Thanks for the question.

At ITK, we always advocate for a distinctions-based approach to the Government of Canada working with Inuit. We recognize that in first nations and Métis realities, there may be very different considerations or policy ambitions. Perhaps in those particular areas, they may think of government administering an enforcement mechanism as being unacceptable.

For Inuit, we have really gone all in on our relationship with the Crown. We see ourselves as first Canadians and Canadians first. We have settled modern treaties with the Crown, and we want to forge this path together for implementation of our modern treaties as shared responsibilities. Therefore, the attempts of government, even if they are well meaning, to silo enforcement or even the adjudication of indigenous businesses to an external partner gets us further away from the enforcement mechanisms that we were hoping for.

Ultimately, we want recourse and a remedy for those who violate our human rights—we've advocated for a long time for an indigenous human rights tribunal—or, in this case, accountability for not being an Inuit business but being eligible under this procurement strategy. Having to go through a third party doesn't have the weight and power of the federal government in order to do anything about this particular violation.

I do recognize your central point that there are others who feel that the Government of Canada shouldn't be in the enforcement space, but our position is very much that the government should be.

Mr. Parm Bains: Thank you for that.

You've been in your role since 2015. Have you seen the national conversation and narrative around indigenous identity evolve over the last, say, 10 years?

Mr. Natan Obed: Yes. I could have never imagined, when I took on this responsibility in 2015, that so much of my time and the time that Inuit Tapiriit Kanatami spends would be on protecting the constitutionally protected status of Inuit against fraudulent collectives that claim Inuit status or individuals in government and in academia who—and either I or our organization have had to interact with them—turned out to be—the nomenclature is “pretendians”: people who are not indigenous who gain status, whether it be in the academic, government or private sector, based on being something that they weren't.

That is why it is so imperative that we short-circuit these opportunities for bad actors. We have had too much experience with these scenarios to think that it is somehow a one-off or one or two people who got caught. This is a movement, and the ability to create an indigenous collective in this country and then immediately have an opportunity to get education, health and economic development benefits is there for the taking.

I'm not saying anything that's secret. It is an open secret that people are driving a truck through, and we need some way for the federal government to be a leader to stop this.

The Chair: I'm sorry, Mr. Bains, but that's your time.

Thanks very much.

We'll go to Mrs. Kusie and then to Mr. Jowhari.

Mrs. Stephanie Kusie (Calgary Midnapore, CPC): Thank you, Chair.

Thank you to our witnesses for being here today.

Dr. Jaime, I'll go to you to talk more about these memorandums of understanding. Can you please clarify why you believe it's important to ensure that it is the Inuit people who benefit from programs set aside specifically for Inuit?

• (1230)

Dr. Angela Jaime: Absolutely, and I'll mirror or echo some of the things the president already said. The reason these indigenous-specific opportunities are established and designed is to create equality where equality has not been. Colonization has done an amazing job of keeping indigenous people from having every opportunity to have economic sovereignty and growth within their communities—both educationally and economically—and health, etc. These opportunities are absolutely essential in working towards truth and reconciliation as a country. For us, for indigenous people, it is always about: How do we protect? How do we support? How do we move our communities forward?

Mrs. Stephanie Kusie: How should the government take this model of the memorandum of understanding and reflect it when

they are ensuring that it's only Inuit, Métis and first nations who receive indigenous contracts?

Dr. Angela Jaime: How should...?

Mrs. Stephanie Kusie: How should they reflect on this memorandum of understanding as a model?

Dr. Angela Jaime: It has worked really well for our institution. Again, it's not our right, as a colonial institution, to make these decisions about who is and who isn't. That information and decision need to be held within the indigenous communities themselves. Their governments make these decisions. We have to trust and honour that sovereignty.

Mrs. Stephanie Kusie: Have there been any other similar memorandums of understanding for other indigenous nations at your university?

Dr. Angela Jaime: Yes. We have one with Métis Nation-Saskatchewan. We have several with first nations communities within the province, and then those that are benefiting from the Jay Treaty south of the border, New Zealand and Australia. We have conversations directly with those communities, those tribes, to do the verification of their own members who might be seeking that space.

Mrs. Stephanie Kusie: Have these additional MOUs helped ensure that those who are members of these indigenous nations are those who benefit from the specific set-aside programs?

Dr. Angela Jaime: Yes.

Mrs. Stephanie Kusie: Excellent.

I just want to make it clear for the committee and our witnesses here today that this study came about as a result of another study, which the committee spent a significant amount of time on, into the ArriveCAN scandal. It found that two of the major contractors, Dalian and Coradix, under or in concert with GC Strategies, were not necessarily providing contracts for indigenous communities that benefited indigenous employees and indigenous Canadians specifically. The genesis of this study is really the finding that occurred as a result of another study. I just wanted to make that very clear.

This is not a rush to victimhood or a search.... This is an attempt to correct what we found to be lacking in indigenous procurement as a result of that one specific study.

This is my last question for all of you.

Recently, there have been issues of members of Parliament and their claims of indigeneity. I just wanted your commentary on that, please. What do each of you think of these issues, which are very pressing in Parliament at this current time?

The Chair: I'm afraid we have only 10 seconds for one of you to respond.

Mr. Natan Obed: I would just say that the integrity of being an indigenous person in this country, it is a solemn identity and it shouldn't be used for political, personal, private or economic gain. It's unfortunate that it continues to be the case not only in the House of Commons, but across this country.

• (1235)

Mrs. Stephanie Kusie: Thank you.

The Chair: Thanks very much.

Next is Mr. Jowhari.

Mr. Majid Jowhari (Richmond Hill, Lib.): Thank you, Mr. Chair

Welcome to our witnesses. Thank you for your testimony. Thank you for talking about some of the critical issues we are facing and for some of the key recommendations you made. I'm hoping these will make it into the report and we'll have a solid base to work from going forward.

President Obed, you recently announced the next step for an Inuit Nunangat university. I found that very interesting. One of the themes I believe I heard was there are a lot of opportunities, but we don't have the capacity. Capacity building needs to be one of the cornerstones of our being able not only to play within indigenous procurement, but also to play outside of the box of indigenous procurement. There were some witnesses who talked about the fact that they don't have to play in the indigenous procurement strategy. They go out and because of their capability, they can....

You are announcing a university, specifically an Inuit Nunangat university. First, congratulations. Second, how do you think this institution will work at the intersection of capacity building and economic opportunities for the Inuit?

Mr. Natan Obed: I'm always happy to talk about our university. First and foremost, it will be an Inuit-governed institution. It will be open to whichever students wish to apply, but it will be governed through a mix of independence and with links to Inuit treaty organizations in that self-determined process.

It will be a particular opportunity for a particular type of student. We have university courses, which are often relationships between southern-based universities and governments, to provide, say, nursing, bachelor of education or law programs. Those graduates do wonderful things in our communities. We hope to create six disciplines which are holistic but get us to the very key considerations for the building of our society, greater prosperity and success within our communities and, whether that be in business, government or research, running the gamut of those things.

We hope to open the doors to Inuit Nunangat university in 2030. We have a lot of work to do. We're hoping there will be federal legislation that will underpin the creation of the university. We're hoping to have relationships with other universities so that we can have transferable degrees, or to be a part of Universities Canada.

We want to have an Inuit-specific opportunity that will produce graduates who will be ready to take on opportunities such as the procurement opportunities in this country. We want, first and foremost, to create a degree that is globally recognized, is transferable within the country and that can be another lever towards prosperity within our society. The very wonderful idea is that you wouldn't have to leave your jurisdiction, culture and language behind in order to get the skills to be successful in whatever field you choose to go into in this country.

Mr. Majid Jowhari: I'm glad you touched on that.

You mentioned there are six principal areas that the university is focusing on. Can you quickly touch on those six areas and on how

they relate to ensuring the sustainability and growth of the Inuit community?

Mr. Natan Obed: In the draft disciplines, which are still frameworks at this stage, we imagine there will be, say, a discipline of family and relationships, of community and community well-being, of governance and of relationships. Within those broad discipline areas, you get into the types of degrees that you might understand. A business degree would flow through cultural-based entrepreneurship. A bachelor's in nursing would flow through being grounded in community, community wellness and Inuit traditional healing in order to get to a degree that can then be used wherever that person chooses to apply that degree. We imagine—

• (1240)

The Chair: I'm sorry, Mr. Obed, but I have to cut you off there. You're out of time.

Mr. Majid Jowhari: I just want to commend you on the initiative. It is a great initiative.

Mr. Natan Obed: Thank you, sir.

The Chair: Ms. Gill, go ahead, please.

[*Translation*]

Mrs. Marilène Gill: Thank you, Mr. Chair.

Ms. Jaime, Mr. Obed and Mr. David, I left more general questions for the end. I'd like to hear your recommendations, even though you've already talked about some of them. Everyone brought up equity, but not necessarily equality, although we did talk about that as well. Transparency is something else that was mentioned. I believe it was Mr. David who said it was necessary to have some degree of transparency in reporting and the processes.

Could you talk more about how to implement that on a practical level? Procurement is the main topic of today's meeting, so could you also give us some recommendations related to procurement?

[*English*]

Mr. Natan Obed: First, in relation to transparency and accountability, we are running into a really interesting problem. We have a very defined constitutional status. We have a very defined relationship with the Government of Canada.

We are up against something that is almost nebulous. It doesn't have a centre. The groups we often end up fighting don't have the same constitutionally protected status that we have. They don't have agreements or recognition of status, but they are somehow in the same catchment for eligibility for procurement, education or other benefits.

Unfortunately, there is a political element to this. Somehow, in the governing of this country, in the relationship between the Crown and Inuit, we have to figure out how to overcome the very real political challenges of the consequence of any government telling somebody or a collective they aren't indigenous, even though it's in the business of doing it every day.

With regard to the recommendations on procurement, we can give a comprehensive list to the committee. First and foremost, we know some of the barriers. Often, the barriers, as I mentioned previously, are in the structure of the procurement opportunity. It almost imagines a successful bidder and excludes any number of factors that are often present in our communities, whether they be scale, lumping together a number of different opportunities into one or the specific requirements of the successful proponent.

We need to be more understanding of the space that first nations, Inuit and Métis businesses are in and ensure that we can unlock their potential without undermining the success of the opportunity itself.

The Chair: Thank you very much.

Ms. Idlout, go ahead, please, for two and a half minutes. We'll then go to Mr. Genuis and Mr. Sousa, and then back to Ms. Gill and you to finish the day.

Ms. Lori Idlout: *Qujannamiik, Iksivautaq.*

I'll be directing my question to President Natan Obed.

Before you became the president of ITK, you worked at Nunavut Tunngavik Incorporated. My questions will be related to your experience at NTI because of this study focusing on federal contracting with indigenous businesses. With NTI being a part of the board of ITK, I think you'll be able to answer my questions.

I had hoped to ask these questions of Paul Irngaut, who I see would have been a witness if there hadn't been technical difficulties, but I feel you can provide equally important testimony regarding the Nunavut agreement and article 24.

I wonder if you could share with us the federal government's management of its procurement obligations under article 24 of the Nunavut agreement.

Qujannamiik.

• (1245)

Mr. Natan Obed: I appreciate your faith in me, MP Idlout, to be able to do that faithfully. I know that Nunavut Tunngavik is going to reschedule its appearance here, so I will leave the majority of that question to NTI and its expertise.

I've been in contact with NTI reps during this hour, and I want to clarify that there are specific Nunavut agreements. Especially, there's the "Procurement Activity Report", which allows for Nunavut to understand the number of procurement opportunities that Nunavut may take advantage of in that jurisdiction. It stands at over 52.5%, which is quite an excellent number for Nunavut.

There still are no national numbers, so we don't have a broader picture. However, because of article 24 and because of the relationship between NTI and the Government of Canada, there have been opportunities for Nunavut to get ahead in certain areas, such as when understanding the level of procurement that Nunavut Inuit are able to take advantage of.

Ms. Lori Idlout: Could you provide—

The Chair: I'm sorry. That is our time.

Ms. Lori Idlout: Okay.

The Chair: We will have one last intervention for you.

Mr. Genuis, go ahead, please, for five minutes.

Mr. Garnett Genuis: Thank you, Chair.

Again, I am struck by and want to come back to the issue of the lack of consequences for indigenous identity fraud. We've heard today about how the government has an incentive to try to make the numbers look better than they are for indigenous procurement, and I think that is what we are seeing.

Witnesses, do you think, at a minimum, it would be reasonable that any company that engaged in indigenous identity fraud should be barred from accessing government contracts going forward?

What we've seen in the past is they were engaging in indigenous identity fraud, so they were taken off the indigenous business directory, but they're able to bid on other government contracts. Do you think it's reasonable, at a minimum, to say that if you engage in indigenous identity fraud, you can't bid on any government contracts going forward?

Mr. Natan Obed: Perhaps, if we're just imagining what the consequences.... I hope there are severe consequences for any business. If they take the form of not being eligible to bid on other contracts, that could be a great avenue to pursue.

Somehow, we have to come up with a consequence that is severe enough to end this practice of trying to figure out exactly how far businesses can push it in order to get a leg-up without having an actual indigenous component to their business.

Mr. Garnett Genuis: Yes. Thank you.

Based on that feedback and what we've heard from other witnesses, I have a motion, which has been on notice for a long time, so members have seen it. I'll move it now, and I think we'll dispose of it quickly.

I move:

That the committee report to the House its recommendation that companies who engage in Indigenous Identity Fraud should be barred from accessing any government contracts.

The Chair: I'll start a speaking list.

Mr. Garnett Genuis: I don't have anything to add.

The Chair: Are we fine with this, colleagues?

Mr. Sousa.

Mr. Charles Sousa: Yes, but we'll be proposing an amendment. Give us just a moment. We're preparing one.

The Chair: How long is it going to take?

Mr. Garnett Genuis: It's not a surprise. It's been on notice for a long time.

The Chair: How long are you going to be? As much as I hate to agree with Mr. Genuis, he is right. It has been on notice for a while.

Do you have it ready? Can you read it into the record?

Mr. Charles Sousa: It's being prepared right now so that we can have it properly submitted and distributed.

The Chair: Would you like to speak to the motion until you're ready?

Mr. Charles Sousa: It's being sent to the clerk now.

• (1250)

The Chair: Would you like to read it into the record?

Mr. Charles Sousa: It's just coming to me now.

What's important here, though, with regard to the motion and the matters being proposed, even the witnesses before us today, is having transparency and accountability for the work for procurement in every facet, including indigenous procurement. The idea is to provide and promote as much as we can to support the community so it can succeed with some of the government contracts, but at the same time, try to ensure integrity throughout the system.

We absolutely support the transparency and the integrity of all procurement that's done within the Government of Canada. There are thousands and thousands of those contracts, so we want to make certain that it is indeed the case....

The witnesses who have been before us have recognized, too, that it's important for us to support the indigenous community to try to foster some of those contracts, and that is what has happened. There are many who may want to provide support—

The Chair: I'll interrupt. We have received it. We're going to—

Mr. Charles Sousa: Perfect. Thank you so much.

Do you want me to read it into the record, or would you like to do that on our behalf?

The Chair: No, you can read your own amendment.

Mr. Charles Sousa: By all means. Allow me to read it into the record.

The Chair: Before we do, I'm going to make a suggestion. We're close to one o'clock. I'm going to ask the witnesses to stay until one o'clock. Once we hit one o'clock, I'm going to excuse you folks while we attend to this.

Go ahead, Mr. Sousa.

Mr. Charles Sousa: I'm trying to find the amendment so that we can read into the record.

I would like to pass it over to my colleague Irek Kusmierczyk.

The Chair: Go ahead, Mr. Kusmierczyk.

Mr. Irek Kusmierczyk: Thank you, Charles.

The amendment is, "That the committee include in its report on Indigenous Procurement the recommendation that companies who engage in Indigenous Identity Fraud should be barred from accessing any government contracts."

I'm happy to speak to that.

The Chair: That's different from what's been submitted.

Mr. Irek Kusmierczyk: Let me try that again.

The amendment is:

That the committee agree to include in its study report on Indigenous Procurement the recommendation that companies who engage in Indigenous Identity Fraud should be subject to the ineligibility and suspension policy in accessing any government contracts.

Mr. Garnett Genuis: On a point of order, Chair, I don't think this is an amendment. I think this is a new motion. It's completely different, in every sense, from the original. The original is a different statement about a clearer issue and, as a matter of process, it does a completely different thing, so I just don't think....

The member is welcome to vote against my motion and propose his own motion, but I do not think this satisfies the requirements of what constitutes an amendment.

The Chair: Mr. Kusmierczyk.

Mr. Irek Kusmierczyk: Mr. Chair, may I ask for a brief, one-minute suspension?

The Chair: Sure.

[*Translation*]

Mrs. Marilène Gill: Before you suspend, I want to point out that the motion as written in French does not reflect the English version. It's not really French at all. I will have to translate it myself. The French version pretty well says nothing.

[*English*]

The Chair: It's a common issue we have here, I'm afraid.

We'll suspend for a minute.

• (1255)

(Pause)

• (1255)

The Chair: I call the meeting back to order.

I believe the amendment, though it is a bit of a stretch, is in order, Mr. Genuis.

I'll start a speaking list on the amendment. While we're doing that, our wonderful clerk is trying to translate it properly because the government can't seem to, apparently.

Go ahead, Mr. Genuis.

Mr. Garnett Genuis: Yes, Chair.

This is just to say that our motion is a very clear statement that those who engage in indigenous identity fraud should be barred from accessing government contracts. That would be completely neutered by this government amendment, which no longer says they should be barred, but instead says they should be subject to the ineligibility and suspension policy. This is to say nothing at all, because every applicant is subject to the policies of the government. It turns this into a complete and total nothing.

I'm disappointed in the government. I thought it could be a clear-cut matter and we would say that indigenous identity fraud is fraud, and if you engage in fraud, you shouldn't be able to get government contracts.

The government is apparently not prepared to say that. We're going to vote against the amendment and in favour of the motion. Again, let's move on with that.

The Chair: Go ahead, Mr. Sousa.

Mr. Charles Sousa: The point of our deliberations with regard to the work that's being done, for those who are watching, is to determine and provide recommendations for how we should proceed. We're now trying to preclude those recommendations. We're trying to exempt the witnesses and all the work that's being done by circumventing that work.

The idea is to provide this committee with the opportunity to engage with the witnesses, have the discussion, have the appropriate debate and then come forward with recommendations. I presume this would be one of the recommendations made by the opposition as it proceeds with the final report.

That's how I view that motion.

You're taking an extraordinary step without giving the privilege and the right to those who are here before us to provide some recommendations. In fact, one of my questions to the witnesses was about that very issue. I requested of them their recommendations for our final report and how to best proceed going forward with regard to the activities.

I think the motion as it was done originally precludes that process from taking steps.

I get that he's using this committee as a film studio to do so many of the other things he's doing on the side. I would appreciate focusing just on what we're trying to do here for the benefit of the indigenous community. That's why we made the appropriate amendments. It was to ensure that the step is taken.

The Chair: Thanks.

Next on the list is Mr. Kusmierczyk. After Mr. Kusmierczyk, I don't have anyone.

Mr. Irek Kusmierczyk: Thank you.

Yes, I think there's agreement that this is an important recommendation. I don't think we disagree with the intent of the motion. However, it raises a question for me. This is a recommendation that ought to be in the report. We are studying indigenous procurement here at committee. We've had a number of meetings. We've had a number of witnesses. The purpose of this for us as a committee is to bring forward recommendations.

I think my colleague's motion does two things. One, it skips a very important step along the process—

The Chair: I'm going to interrupt you for a moment.

We are sending out the proper French translation now, Madame Gill and everyone else.

Mr. Irek Kusmierczyk: Again, my disagreement is not with the spirit of the motion that Mr. Genuis has brought forward. It's simply that it skips a very important step, which is that this recommendation ought to be part of the study and the report we are conducting here as a committee. It ought to be first in the study report, and it ought to be part of the recommendations we bring forward as a committee.

It raises a question about the purpose of the committee if the things we discuss and the recommendations we bring forward com-

pletely skip the study and the report this committee does and they go directly to the House.

That's what we're trying to address in this amendment. It is to say this is an absolutely valid recommendation. It's important. It just needs to be, first and foremost, included in this committee's work and in this committee's report. Subsequent to that, the committee has a choice...well, it doesn't have a choice, but it votes on whether or not to submit the report to the House. That's the discussion. That's the normal process.

Again, I don't object to the spirit of Mr. Genuis' motion, but I strongly feel that we're skipping a step here. We're undermining the work of this committee in doing that. That recommendation belongs, first and foremost, as part of the recommendations of this committee in a report.

Those are our objections to the original motion. I hope Mr. Genuis can find common ground and support this amendment because, again, we're trying to do the same thing. We agree with the thrust and the spirit of the motion, but we believe it skips a step and it ought to be a part of the committee report.

• (1300)

The Chair: Thanks.

I have Mr. Sousa.

Mr. Charles Sousa: Just to be clear and to reaffirm what my colleague said, we're trying to avoid this motion because, basically, it's a procedural game. The point of creating a committee report is to do just that, and what we're doing here is providing individual recommendations each time, which undermines establishing a report.

I think it's somewhat serious. We shouldn't trivialize this motion, because we see it as being a procedural game. We really shouldn't behave that way, again, with respect to the witnesses, who have been called before us to have the opportunity to comment and then put forward appropriate recommendations. as opposed to doing a one-off each time.

The Chair: I have no one else on the speaking list for the amendment, so we shall go to a vote on the amendment.

There is a tie. I vote against the amendment.

(Amendment negated: nays 6; yeas 5)

The Chair: We're back to our original motion.

I'm going to excuse our witnesses. Thank you very much. I appreciate all of your testimony today, as well as all your patience as we fought with our IT process. We hope to see you back at OGGO one day.

Mr. Obed, this is especially for you, but I think Dr. Jaime mentioned this as well. If you have any recommendations of documents or reports that you wish to share with us, send them in to the clerk and we'll make sure they're distributed to the committee and are part of our considerations in our report.

Thank you again.

We're back to the original motion. Do I have a speaking list for the original motion?

• (1305)

Mr. Majid Jowhari: I'm trying to make sure I understand. Can we get a two-minute suspension?

No. Go ahead.

Mr. Garnett Genuis: I think the motion is great the way it is, but I think there might have been agreement, if there's consensus that allows us to proceed with this, to add at the end "and the committee request a government response". That has the effect of addressing the government's concerns about the possibility of concurrence, but it still involves us reporting to the House on this issue.

Mr. Majid Jowhari: Can you give us two minutes on that?

Mr. Garnett Genuis: Sure.

The Chair: We'll suspend.

• (1305)

(Pause)

• (1305)

The Chair: We are back.

I understand that Mr. Genuis has an amendment or a friendly agreement.

Mr. Garnett Genuis: Yes.

The agreement is that we add the words at the end of the motion, "and the committee request a government response".

Mr. Irek Kusmierczyk: Can you just reread the motion, please?

Mr. Garnett Genuis: The motion would read:

That the committee report to the House its recommendation that companies who engage in Indigenous Identity Fraud should be barred from accessing any government contracts, and the committee request a government response.

Mr. Charles Sousa: How is that different from putting that recommendation in the report?

Mr. Garnett Genuis: Do we have an agreement or not?

An hon. member: [*Inaudible—Editor*]

Mr. Charles Sousa: I know, but it's just more procedural games.

The Chair: Are we in agreement, then?

(Motion agreed to [*See Minutes of Proceedings*])

The Chair: Wonderful.

Before we adjourn, Mr. Sergerie has now tried twice to appear. He has offered or intimated that he'd like to perhaps try to appear in person. The other two, Mr. Irngaut and his associate, have said they'll appear in person.

Colleagues, you'll also be getting what I think is a rather disturbing letter at about three o'clock today—it's just being translated—from a whistle-blower on the situation. They are asking to appear as well. I know that we're at the end of our procurement study, but I think once you read the letter, you'll agree with me. I think we can probably squeeze in maybe two hours at the end of the session to try to accommodate Mr. Irngaut.

I'll wait for you to read the whistle-blower letter. He's asking to appear. I'm hoping that we can squeeze in a couple hours for Mr.

Irngaut and the whistle-blower by the 17th. I can probably squeeze it in.

• (1310)

Mr. Charles Sousa: Let us read it first. Then we'll determine that.

The Chair: Okay.

What about the request from Mr. Sergerie and Mr. Irngaut to come back in person?

Mr. Majid Jowhari: [*Technical difficulty—Editor*] help us with any outstanding area in the report or recommendations?

The Chair: I'm not sure what Mr. Irngaut had to say.

Go ahead.

Mrs. Kelly Block: I would suggest that because the issues were technical difficulties on our end, we should actually make time. We should make every effort to hear from them. We invite them. We can't accommodate them. We go ahead with the meeting.

I think it behooves us to try to find a way to hear from them.

The Chair: Yes. I'm not talking about adding a day. I think I can probably squeeze it in.

Ms. Gill, go ahead.

[*Translation*]

Mrs. Marilène Gill: Thank you, Mr. Chair.

I want to say two things.

First, the interpreter indicated that she couldn't hear what Mr. Jowhari was saying. He may not have been speaking into his microphone, or it may have been on mute.

Second, I'm going to say more or less the same thing as Mrs. Block. Many times, the Standing Committee on Indigenous and Northern Affairs hasn't been able to hear from witnesses in northern communities. I know that in this case, Mr. Sergerie is in Wendake. That said, I am always complaining about how poor the Internet networks are in certain places and how witnesses aren't able to come all the way here to meet with the committee. Some people I know have to spend a week travelling to get to Ottawa, and I wouldn't want them to be penalized because of where they live or because the network prevents them from testifying.

I know some witnesses have testified by telephone in the past. There was a time in 2018 when someone from my riding couldn't appear before the committee in person but was able to testify another way. We need to figure out how we can accommodate those witnesses. There are ways to prevent identity fraud and make sure that people are who they say they are. Then, we would have access to their testimony. It's a difficult situation because sometimes we have to postpone meeting with them two or three times in a row. In some cases, we're never able to make it work. Perhaps it's time to deal with the source of the problem and find other ways for these people to appear, so that they aren't penalized and so that they can participate fully in the committee's proceedings.

[English]

The Chair: Ms. Idlout, did you have your hand up as well? Please go ahead.

Ms. Lori Idlout: Thank you.

I asked the president of ITK, with his experience at NTI, a few questions regarding indigenous procurement and the Nunavut agreement, but he wasn't able to answer my questions directly. It would be great to have Mr. Irngaut appear, especially if he's asking to. I would support squeezing him in, if possible.

As well, could you respond to us on what we'll be doing at next week's meeting?

Qujannamiik.

The Chair: Yes. We have Minister Duclos on the Thursday. The second hour can be with the officials, depending on the committee. We've already passed the estimates in the committee, but often the minister comes after the fact just because of timing. We have the minister, and then the second hour can be with officials or with the people we've missed.

At Tuesday's meeting we will have the procurement ombud. We can do one hour with him and one hour squeezing in the witnesses we've missed, and then perhaps one for the whistle-blower's letter, or we'll just do the whole two hours with the ombud.

I don't think there's a lot in the supplementaries for PSPC and the minister. Well, they'll be with the minister anyway.

Mr. Irek Kusmierczyk: Mr. Chair, can we also ask the witnesses, just in case there's a repeat of technical issues, to submit their briefs as well?

The Chair: They're offering to attend in person.

An hon. member: They're coming in person. That's what we're doing.

Mr. Irek Kusmierczyk: Oh, I see. Pardon me. I had misunderstood that. Okay.

The Chair: Perfect. I'm not keen on Mr. Sergerie trying it a third time. He kind of intimated that he'd like to attend in person.

An hon. member: That's fair.

The Chair: Wonderful.

We're out of time anyway. Thanks, everyone, for agreement. The clerk will update you.

Thank you to everyone who jumped in and filled in for others because of our IT issues. I really appreciate it.

We're adjourned.

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