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# **Standing Committee on Indigenous and Northern Affairs**

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**EVIDENCE**

**Thursday, April 4, 2019**

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**Chair**

**The Honourable MaryAnn Mihychuk**



## Standing Committee on Indigenous and Northern Affairs

Thursday, April 4, 2019

[English]

• (0845)

[English]

**The Chair (Hon. MaryAnn Mihychuk (Kildonan—St. Paul, Lib.)):** Good morning, everyone.

I'm so pleased to have you here. We're at the indigenous and northern affairs committee to hear from witnesses from across Canada on the issue of community capacity-building for indigenous people, specifically on reserve, but we all know that a lot of the training is off reserve and in different locations.

We recognize that we're in a process of truth and reconciliation, which this committee in particular is sensitive to. We are anxious to hear the truth from you. Moreover, in this process, we always recognize the territory where we're holding our meetings, not just as a formality but actually to give it some consideration. We're on the unceded territory of the Algonquin peoples here in Ottawa.

The way it will work is that you'll have 10 minutes to present. Then we'll go through rounds of questions by the members, first seven minutes and then five minutes. If you want to see where we are in the process, I will try to give you hints when we're coming to the end of your allotted time.

Welcome, once again. The way you do it is up to you, and you can start when you're ready to go.

**Ms. Laurie Swami (President and Chief Executive Officer, Nuclear Waste Management Organization):** Thank you very much.

Good morning, Madam Chair and members of the committee.

It's an honour to appear before you today to discuss our work at the Nuclear Waste Management Organization.

I am joined here today by Bob Watts, our vice-president of indigenous relations at the NWMO. My colleague, Véronique Dault, director of government and external relations, is also here today to assist with any questions you may have.

I understand that this committee is currently studying community capacity-building and the retention of talent. The NWMO has a great story to share.

[Translation]

The Nuclear Waste Management Organization has a significant history of community capacity building and talent retention.

Bob will share the bulk of our work, but first I want to provide you with a bit of background about the NWMO.

We were established in 2002 by Canada's nuclear electricity producers as a requirement of the federal Nuclear Fuel Waste Act. Our mandate is to work collaboratively with Canadians to design and implement Canada's plan for the safe, long-term management of used nuclear fuel. We are a non-profit funded by the owners of Canada's used nuclear fuel, which are Ontario Power Generation, New Brunswick Power Corporation, Hydro Québec and Atomic Energy of Canada Limited.

The NWMO spent its early years talking to Canadians, including first nation, Métis and Inuit peoples, while designing an approach and plan to ensure the safe, long-term storage of Canada's used nuclear fuel.

The approach that emerged through this dialogue—known as “adaptive phase management” or “Canada's plan”—calls for the safe containment and isolation of used nuclear fuel in a deep geologic repository located in an informed and willing host community. It was an approach that the government of Canada selected in 2007 and the one that we at the NWMO are actively implementing today. The plan aligns with the values and priorities Canadians identified as important and also with international consensus.

Scientists around the world agree that a deep geologic repository is the best approach for protecting people and the environment from used nuclear fuel over the long term.

To ensure that we stay abreast of the latest knowledge, we work with similar organizations around the world to share best practices and science.

During those early dialogues, Canadians told us that we continue to benefit from nuclear energy. We need to manage the waste in a way that does not burden future generations. We've also committed that the project will only proceed with the involvement of municipal and indigenous communities in the area and surrounding communities working in partnership to implement it. In order to do so, we had to work to build capacity in potential host communities. Canada's plan is a 100-plus year, \$24 billion infrastructure project. It will have economic and social benefits for generations, but ensuring local communities are well informed and prepared to take on a project of this magnitude takes time and resources.

That's why the NWMO has spent years working with communities, including municipalities and first nation and Métis communities. The voluntary site selection process that was launched in 2010 saw 22 communities express interest in learning more about the project and exploring their potential to host it.

Through increasingly intensive study and engagement, we have gradually narrowed our focus. Today we are active in five of these areas as we work towards selecting the preferred site. Each of these communities has neighbouring indigenous communities with whom we are working as well. We plan to select the single preferred site by 2023.

I'm also pleased that we have indigenous representation in our senior management, on our board of directors and our advisory council. Over 7% of our workforce identify as first nation or Métis.

At this time, I will ask Bob Watts to provide more information about the many programs that we have.

• (0850)

**Mr. Bob Watts (Vice-President, Indigenous Relations, Nuclear Waste Management Organization):** Thank you, Chair.

Since the very beginning, the NWMO has sought to walk with indigenous people on this journey. Our leadership has long recognized the need to listen to indigenous elders. An elders advisory council was founded almost immediately after the organization was formed. As we evolved, so has this important body evolved. Since Canada's plan will affect generations to come, we've added young people to this group, which is now called the council of elders and youth. Their advice and principles of honouring the land and serving as stewards inform activities across our organization.

Eighty-five percent of our staff have received cultural awareness training. This is a requirement for both our staff and contractors before they begin any fieldwork with our communities.

NWMO has also stated its commitment to integrating indigenous knowledge into our work. One small example are elders and other knowledge keepers who walk the land with our subject matter specialists in western science, and together they share their knowledge and learn from each other. We recently held a two-day workshop that brought together indigenous knowledge keepers and western scientists. During the workshop, participants shared information and perspectives on how indigenous knowledge and western science can be interwoven into research applications pertaining to our safety system.

Last year, we made a formal commitment to reconciliation which was formalized through traditional ceremony. Right now, we're in the midst of finalizing a reconciliation policy that will deepen our commitment to reconciliation. This policy sets out how the NWMO will contribute to reconciliation in all of its work. Some initiatives will include training, employment and procurement for indigenous peoples. This is one small way that we are ensuring that our actions back up the words in our reconciliation statement.

The NWMO works with indigenous communities as well as regional and national indigenous-led organizations. In this work, we recognize the fact that resources are required to engage in our process. We've committed that no community should be out of pocket for learning about and engaging with Canada's plan. We're actively working with communities to determine how we can each build capacity to participate in the project if it is located in their area. We are making investments in training and education to equip community members, including youth, to benefit from the project. At the same time, these investments support building transferable skills that could be applied to other projects or workplaces as well.

I should note that in conversation with the chair prior to the meeting, we were talking about language. We've translated the bulk of our work into nine indigenous languages. Since we've narrowed the focus of our activities, we have narrowed the amount of translation being done, but we've made a big commitment to ensuring that our information is translated so that everybody in the community has access to that knowledge.

Some of our support directly facilitates participation in our process, but some is less tangible. For example, we are committed to increasing access to indigenous knowledge, western science, technology, engineering and mathematics, or STEM education, in potential host areas. Many of these initiatives are funded through our early investment in skills and education program. This will build capacity for generations to come in those communities and help fill the jobs that a repository could provide.

Direct activities include covering the cost of meetings, travel, financial reporting and other expenses associated with engagement and learning. We also support part-time and full-time jobs in communities that we work with to coordinate and manage their participation. Last year, we hosted 45 engagement activities with indigenous youth. Currently, the NWMO funds 18 positions within indigenous communities, comprised of 15 community liaison officer positions, one youth position, one technical officer and one administrative support person.

To support discussions about the potential for partnership and further create a strong foundation for future decision-making, the NWMO has implemented a program of near-term investments. These investments are intended to support community capacity-building to participate in discussions about potential partnerships, and if selected as a single preferred location, ultimately hosting the project in the future.

Funding is in the form of investments provided to municipalities and first nation and Métis communities in the vicinity of the area where assessment activities are planned and that are helping to lead these activities. Since 2008, we have invested approximately \$29 million in indigenous communities and organizations. Of that, close to \$6 million was invested in Métis communities and organizations, \$14 million to first nation communities and \$9 million to first nation national, provincial and regional organizations.

● (0855)

In conclusion, above all, we know there is no one-size-fits-all approach. Instead, we approach all of our capacity-building from a place of transparency, respect and partnership. Canada's plan is called adaptive for a reason; so too is our approach to community engagement and capacity-building. The NWMO actively reviews and refines our programs as we continue to learn and work with communities and as discussions about potential partnerships advance.

I look forward to hearing from members of today's panel and later to answering any questions the committee members may have about our experience.

Thank you very much, Chair.

**The Chair:** Thank you.

We're going to start the questioning by MPs. We begin with MP Will Amos.

**Mr. William Amos (Pontiac, Lib.):** Thank you, Chair.

Thank you to our witnesses.

You're a unique witness for this study, and I want to take this advantage to learn a little bit. I understand that the NWMO is focused on designing and implementing a plan to store used fuel. For many indigenous people, that's a big issue, particularly if their traditional territories cover the area that might be chosen. That's an obvious issue.

I represent a riding in western Quebec where that's not really being contemplated. I don't believe there are any sites being considered there, but there are non-fuel nuclear waste management issues. I'm sure you're well aware of matters related to a proposal about near-surface disposal at Chalk River.

In this context, there have been calls for the development of a federal policy around non-fuel waste. I'd appreciate your thoughts on that because it's an issue I'm only starting to become familiar with. I'm sure your organization has significant expertise.

Thank you for providing your comment.

● (0900)

**Ms. Laurie Swami:** There is currently policy direction from the government with respect to management of nuclear waste. There is policy that requires the owners of the waste to put in place steps to manage all of the waste they're responsible for, whether it's used fuel or low and intermediate or less radioactive materials. Owners are required to come up with programs. In Canada, a number of programs have been proposed by owners of those types of waste. As I understand it, they're going through the regulatory process to establish those facilities. I think that's an important step for the nuclear sector to be able to manage their waste appropriately.

I would say that for the most part money has been set aside to handle those wastes so that, as the projects come forward, there will be funding available to implement the appropriate means of waste disposal.

**Mr. William Amos:** Is it a fair characterization to say that the government policy is that there be an extended producer responsibility of some kind?

**Ms. Laurie Swami:** The policy is that the owner of the waste material must put aside a program to address that, which could include funding at this point in time. Some of the industry has progressed further along that path to develop projects. I think the observation from the industry is that there are enough projects in the pipeline at this point in time that, as those get through the approval process, we would expect to see more projects being proposed to deal with the waste, depending on who the owner is.

**Mr. William Amos:** Would you agree with those who suggest that the Government of Canada ought to develop a long-term, non-fuel nuclear waste policy?

**Ms. Laurie Swami:** I believe the policy direction is sufficient for the owners of the waste today to deal with the situation. In our case, we have a federal act that is very clear on what responsibilities are assigned to the various players. The policy itself provides that owners of nuclear waste are responsible for establishing the programs around it. I think it's very clear to the industry owners that they are responsible for that aspect. I don't believe there is a policy gap at this point in time.

**Mr. William Amos:** Okay.

Just turning back then to the issue at hand around capacity, what would you say the hardest lesson has been for NWMO to learn with regard to capacity-building for indigenous communities in your sphere of operation?

**Ms. Laurie Swami:** Maybe Bob and I will both answer that. I'll answer it from the business perspective, if you will.

I think the hardest lesson to learn is that first nation and Métis communities are involved in many, many things just as any community is. They have a lot of their own business to take care of. They're running their own organizations. Some of the communities we work with are running the water treatment plants, the sewage treatment plants and all of the infrastructure needs to meet their community's needs, so when a project comes along, people have to understand that there's a certain level of capacity available to engage with us at the beginning because they are busy. These are busy people.

I think it takes time. You need to build trust with communities. You need to come in with an understanding of being very respectful of their time and their world view, which is not necessarily the same but which needs to be very respected. We need to be very cautious about that and take that into consideration in everything we do.

The help we can provide is to help build that capacity, to provide them with what they need to be able to actually engage with us. That's taken us time but it's a very important part of the steps we need to go through as we build partnerships with the communities that will eventually be willing hosts for our project.

• (0905)

**The Chair:** I'm sorry, but that ends our time.

We're going to move on to MP Cathy McLeod.

**Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC):** Thank you, Madam Chair.

Thank you to the witnesses.

I'm just going to take one minute before I get into my questioning.

First of all, I want to say I appreciate the very methodical approach you're taking to what is an incredibly important issue. I think that really speaks to what happens when things aren't done properly. We can use Grassy Narrows as an example where successive governments have really failed—I think we all need to take responsibility nationally and provincially—and the results have been quite devastating and tragic. I think it is incumbent on us as MPs on this committee to understand.

I do want to move my motion. I hope it can be quick and we can agree, even if it means extra hours. I'm willing to do the extra hours. Then we'll get into our questioning. I think it's important. I would suggest that we should all support this:

That, pursuant to Standing Order 108(2), and given the significant long-term health impacts of mercury contamination, the Committee undertake two meetings on the federal government's commitments to the people of Grassy Narrows First Nation; that the witness list include representatives of Grassy Narrows First Nation, health experts, officials from the Department of Health Canada, the Department of Environment and Climate Change Canada, and the Department of Indigenous and Northern Affairs Canada; and, that the Committee report its findings to the House.

As I say, I believe this should be non-controversial. I think it is incumbent after six years of provincial and federal successive government failures. I know we have legislation coming to the table, but even if this takes extra meetings, let's just understand the issue in a fulsome way. Hopefully we can vote and move onto questioning of the witnesses.

Thank you.

**The Chair:** I have on my speaker's list MP Mike Bossio.

**Mr. Mike Bossio (Hastings—Lennox and Addington, Lib.):** I would like to thank my colleague for bringing this up. It is a very important issue. We agree that it is an important issue that should be studied. The only amendment I would like to suggest is that we invite provincial ministers as well. I think it's an important issue that needs to be addressed by all levels of government.

**Mrs. Cathy McLeod:** That would be a friendly amendment.

**Mr. Mike Bossio:** Yes. We don't have a problem with that. If you're agreeable to that, then that's great. I say let's go ahead.

**The Chair:** MP Amos.

**Mr. William Amos:** I also agree that we should be looking at this. It's a really, really important issue.

The only thing I'd add is that for those who are inclined to read lots in advance, there's a particular professor, a former colleague of mine at the University of Ottawa, by the name of Dr. Jamie Benidickson. He's one of the world's foremost experts in law and policy around Minamata disease and all the issues particular to Grassy Narrows. I'm sure our analysts could provide a short list of other articles in PDF form or book references, because his work is second to none on this issue.

**The Chair:** MP Blaney.

**Ms. Rachel Blaney (North Island—Powell River, NDP):** I'm happy to support this. I just want to make sure we look at the schedule, because I want to see that all of the tasks that are put before us are done before we walk out of this place.

I agree with Cathy. I'm more than willing to do the extra hours that are required to do this. I think this issue is very important and very timely. I know that the people in that community are suffering tremendously. It's really important that we have a fulsome understanding of that so that hopefully we can see more action.

**The Chair:** All right.

We have 10 minutes for committee business at the end of our hearings today, and we'll—

**An hon. member:** [*Inaudible—Editor*] the vote.

**The Chair:** I understand. Just give me a second. Thanks.

We'll add, for the scheduling and the details about it...can be moved to that portion of the meeting.

I understand we're ready to vote, so—

• (0910)

**Mr. William Amos:** Madam Chair, having reviewed the motion, I would suggest that the categories of witnesses are just a bit narrow. To that extent, I would like to suggest that Dr. Jamie Benidickson be invited. He wouldn't fall under any of these categories as a legal expert, but I think it's a relevant consideration.

I wonder if that would be a friendly suggestion to be—

**Mrs. Cathy McLeod:** [*Inaudible—Editor*] certainly recognizing two meetings and a couple of panels per meeting, but we're certainly willing to extend this study if we need some additional expertise. We can maybe consider that more fulsomely in committee, but I think bringing in experts is appropriate.

**The Chair:** We have two friendly amendments to the motion—to invite provincial government officials and other experts or research. Does that seem fine? Okay.

All those in favour?

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

**Mrs. Cathy McLeod:** Madam Chair, do I still have time left from my seven minutes?

**The Chair:** Yes. You have a minute and a half.

**Mrs. Cathy McLeod:** Thank you.

Sorry, but I thought this was a very important issue. It really does tie in with what you're talking about, when people are purposeful about recognizing waste and what needs to be done.

Tell me a little bit about the communities that technically are appropriate. Is it where they can do deep, deep...? Can you talk a bit about the technical requirements that you need to look at?

**Ms. Laurie Swami:** I'll step back a bit. To select a community, we have three criteria that we focus on. One is safety. I think this is where your question is coming to. We need to understand if the rock in the area, if you will, is suitable for siting a deep geologic repository. Part of the work we do is to understand the rock. Right now in one community, we're doing borehole drilling to try to better understand the conditions of the rock to make sure it is suitable. The willing host is clearly a critical step for us, but it also has to meet the safety tests. Those are the two criteria we're focused on right now. The third of the criteria is transportation of the used fuel from the existing interim storage locations to a final used-fuel repository.

**The Chair:** Thank you.

The questioning now moves to MP Rachel Blaney.

**Ms. Rachel Blaney:** Thank you, Chair.

Thank you for being here today. I have a couple of questions.

Mr. Watts, you talked about the elder advisory committee that you set up and that moved into a youth and elders advisory committee. I'm just curious; could you tell us a little bit about what the process was in recruiting those members and what their mandate is?

**Mr. Bob Watts:** On the process originally of recruiting youth, the elders actually picked youth from their area to work mostly with them and to be mentored by those elders. Over time, we've changed that process. We've opened it up so that it's more of a nomination process now. Communities and organizations in the area nominate youth from their communities.

For both the elders and the youth, we're pretty clear that we're not expecting elders and youth to represent their community or to represent their organization. They're representing themselves. I mean, it's a tough political issue. Likewise, we don't expect them to represent the NWMO. They're there in an advisory capacity.

The youth are there to learn from the elders, but the elders are learning from the youth, too, because a lot of the youth who are part of this are in university and they're bringing other skills and knowledge to bear on this. There's some reciprocal learning that's going on between the elders and the youth, which is really interesting to see.

• (0915)

**Ms. Rachel Blaney:** That's good.

You also talked about “increasing access to traditional knowledge”. I hope I got that right. I'm curious about how that happens and how the traditional knowledge is stored. Is it accessible to the community? Is there a process? I just think of how much has been taken historically. It would be interesting to hear how your model is—I'm hoping—a little different.

**Mr. Bob Watts:** One of the things we've made a commitment to, both in terms of policy and in terms of practice, is to honour the ownership of indigenous knowledge. To the extent that communities want to share that knowledge with us, we're pretty careful about how we use it and under what conditions we would share it outside of our organization.

Communities will have their own processes in terms of how they store that knowledge, how they share that knowledge with each other and under what conditions they'll share that with us. I think part of this goes back to the question that the CEO mentioned earlier on. A lot of this is about relationship building and trust building. I think that if we hadn't taken the time to build relationships and build trust, nobody would be sharing any knowledge with us.

**Ms. Rachel Blaney:** You also talked about the reconciliation ceremony and the policy. I'm curious, because you talked about a ceremony, and it sounds like there are multiple communities that you're working in. How did you do a ceremony? Was it in one particular region or was it something that brought in larger amounts of people? In the next part, you talked about the reconciliation policy. That includes a commitment to training and employment of indigenous peoples within the communities.

Could you talk first about the ceremony? Was it inclusive? Was it one particular region?

The next part is the policy. How are you doing the work to actually do outreach to those communities? You talked about the 18 positions. Are they in those indigenous communities? How does that work? Is it only in those indigenous communities? Are you looking for opportunities within the organization as well?

**Mr. Bob Watts:** Thank you for that question.

One of the things we've tried to do in terms of all of our policy development within the NWMO is to reach out and to receive input from the communities and organizations we're working with. That's part of our process, both in terms of the reconciliation statement and in terms of looking towards the reconciliation policy. We've had an aboriginal policy that's been in place almost since day one, which was informed, again, by outreach and small-c consultation with communities and organizations.

The ceremony itself was really put through by the council of elders. Our board of directors and senior management were all part of that. It was symbolic in a way, I think, of reconciliation. Our objective is to implement call to action number 92 from the Truth and Reconciliation Commission. That's what the statement looked at and that's what this policy is going to look at. We're guided by that and guided by the input we're getting from the council of elders.

Later on this month, we're taking our first draft of the policy to the council of elders to get their input and to make sure we're on the right track in terms of that policy. Then we'll share it with the other communities and organizations that we're working with, with a view to have our policy in place sometime in the fall.

**Ms. Rachel Blaney:** I think this is probably my last question.

This is really a study that's about capacity-building in indigenous communities. I'm just curious. I'll open this up to anyone, but could you talk about the unique ability you're bringing to the table around capacity-building within the communities? Where are some of the gaps that you're maybe struggling with? Could you give a recommendation to the federal government on where there would be resources that would be better used or a program that's working that you would like to see increased?

**Mr. Bob Watts:** There are a couple of things we've witnessed and learned over the time we've been doing this. One is to change the way we're doing funding arrangements. I think that originally our funding arrangements were fairly paternalistic and didn't recognize indigenous nations as being able to be transparent and accountable. We've changed the way we're doing business with indigenous communities, to the benefit of everybody. I think that's been really important.

We've made a commitment to be faster and more responsive to communities. We dragged out the contribution agreement processes, which drove everybody crazy, and I think governments do that as well. I know sometimes indigenous communities are signing—for example, signing the 2019-20 contribution agreement in February 2020. We were kind of the same way, and folks were out of pocket for having to work with us. We're trying to be more responsive, prompt and respectful of community processes.

● (0920)

**The Chair:** We're moving on to MP Yves Robillard.

[*Translation*]

**Mr. Yves Robillard (Marc-Aurèle-Fortin, Lib.):** Thank you, Madam Chair.

I want to thank the witnesses for their presentation.

According to the NWMO reconciliation statement issued on July 18, 2018, “the NWMO will establish a Reconciliation Policy

with an implementation strategy that will be measured annually and publicly reported to contribute to the Truth and Reconciliation Commission's calls to action.”

One challenge of reconciliation is to measure our progress. How do you plan to measure the impact of your reconciliation policies?

[*English*]

**Mr. Bob Watts:** First and foremost, we're in the process of developing what a reconciliation assessment tool will look like, so that when we look at all of our policies across the organization, we can say, from a reconciliation lens, where we are at in terms of procurement, recruitment, human resources and a number of categories. First and foremost, this reconciliation lens is going to be really important.

We're guided in our work by a lot of folks who are used to project management, so we keep a lot of statistics already. We're pretty knowledgeable about the way we've been doing business, so to be able to use this lens against a new way of doing business, so that we can measure what the change has been, is part of our program.

Again, whether it goes to procurement, staffing or whatever category of work we're doing, we're going to have both a lens and a way of measuring that.

All of those things are in the process of being developed this year.

[*Translation*]

**Mr. Yves Robillard:** Your indigenous knowledge policy of October 2016 referred to the NWMO Council of Elders and Youth and its predecessor, the Elders Forum.

Can you elaborate on your consultation process with these councils? How did they promote the use of indigenous knowledge?

[*English*]

**Mr. Bob Watts:** The consultation process was to work intensely with the Council of Elders and Youth and also to look out to other organizations and academic institutions that have done work in the application of indigenous knowledge and what that could mean from a policy point of view, as well as what it could mean practically.

We struggled through this. We had folks within the organization who were saying, “Okay, so we're going to apply indigenous knowledge. What does your book look like? Where's your textbook or handbook of what indigenous knowledge is?”

We have found that it's really a lot more iterative than that and that the application of indigenous knowledge is really about time and working with knowledge-keepers and elders in the community. What we have found is that folks aren't going to share knowledge unless they feel it's going to be honoured, respected and kept confidential to the things they want to have kept confidential, whether it be sacred places in the area we want to study or other knowledge they may want to keep just within the community. We need to be able to honour that.

However, it is a powerful thing to have geologists and knowledge-keepers walking side by side out on the land and sharing with each other that this is what the rocks are saying to an elder and this is what the rocks are saying to a geologist and combining that. That's the work we've been doing.

• (0925)

[Translation]

**Mr. Yves Robillard:** In September 2018 and more recently, you held a workshop on the sharing of indigenous knowledge and western science. Can you tell us about the results of this workshop?

Are there other ways to use this type of workshop to help share knowledge regarding community capacity on the reserves?

[English]

**Mr. Bob Watts:** The results of the workshop, I think, told us that we have more work to do. We focused on three particular areas where we thought there was some really good intersection between indigenous knowledge and western science: clay, rock and copper. We know there is a lot of indigenous knowledge right across the Americas in all three of those areas. We thought that was a good starting point in being able to share knowledge systems and what copper, rock and clay mean to different knowledge systems and to start the process of figuring out how we interweave, how we bring together, those knowledge systems into something that can inform each system and have a more powerful result.

We're in the early days of figuring some of those things out. We're doing the same thing with water to try to understand the role of water from an indigenous knowledge perspective and from a western science perspective.

We've been out into communities with a presentation of ours, "The Journey of Water", which looks at water from both world views. We'll be doing the same thing with these other matters we have just started to study.

**The Chair:** That ends your time.

[Translation]

**Mr. Yves Robillard:** Thank you.

[English]

**The Chair:** I believe we're going to MP Kevin Waugh.

**Mr. Kevin Waugh (Saskatoon—Grasswood, CPC):** Thank you, Madam Chair.

Thank you, guests, for being here today.

I'm just looking at number 92 of the Truth and Reconciliation Commission's calls to action:

- ii) Ensure that Aboriginal peoples have equitable access to jobs, training, and education opportunities in the corporate sector...

However, only 7% of your workforce is indigenous. That's a long way off from what I am reading in number 92 of the calls to action. It's kind of embarrassing that you only have 7% indigenous employment.

What are you going to do about it?

**Mr. Bob Watts:** I'll let you start.

**Ms. Laurie Swami:** Seven per cent sounds like a low percentage

—

**Mr. Kevin Waugh:** It is.

**Ms. Laurie Swami:** —but when you look across the population of indigenous people who are available, it is generally representative of that.

Further than that, what we are looking for is to bring indigenous people into our line of work, which requires that there is a certain amount of investment in capacity-building within the indigenous community. We are looking for people who we will be able to spread throughout our organization. There are two reasons for that. It's not only to offer equity to indigenous people, but also to really enhance our culture and our belief system, consistent with an indigenous perspective. So, there are two aspects of that, from my perspective.

We're working very hard to do that. I think there is competition to find indigenous people who are available to enter into the workforce right now. We try very hard, and I am very pleased that our latest lawyer that we hired is actually Métis. We just welcomed her to the office on Monday. We're very proud of that.

**Mr. Kevin Waugh:** That's exactly what we're talking about in this report: capacity-building. Where are you going to get your talent? In this country how are we going to make sure that indigenous people, Métis and Inuit have these opportunities?

Give me a full scale of how your company is looking down the road five or 10 years to make sure these people have the opportunities they should have.

• (0930)

**Ms. Laurie Swami:** I think this is a really important aspect, and it's something that I focus a lot of my effort on, both for indigenous people as well as for gender balance. I think it's about attracting people into the science, technology, engineering and math programs at a university level, but you don't start that by saying, "Here, go to university." We need to start that in high school and public schools, to make sure that we're providing the educational processes they need to succeed in the business that I'm in, which is highly technical.

We actually have programs in place to do that, not only in municipalities but in all of the communities we are working in, to offer science in the school programs and to offer SHAD programs, where we bring youth from these communities and offer the opportunity to experience some of the science classes at a university level.

Do you want to add to that, Bob?

We have looked at it from the perspective that you have to get the education into high school or earlier, so that people are ready to go into university and college and be available for these jobs.

The second thing I would offer is that we have environmental guides, in one community in particular, who come with us when we do our field work. We've provided training to those particular individuals so that they have both the indigenous knowledge and world view, as well as some of the scientific background that's required to assist us with our environment program.

We really are interested in enhancing that program to make sure they can participate in the jobs we have. So far, that's been very successful. My environmental staff have been holding workshops over the last number of months in the community and really engaging with them to build those skills so they can see the types of jobs and skills required.

This takes time.

**Mr. Kevin Waugh:** Yes. I'll give you an example.

When I was a school board trustee in Saskatoon, Cameco, the world's largest uranium producer, gave us a \$100,000 grant to produce indigenous engineers from northern Saskatchewan.

I see that your company's here. Are you getting any help from Ontario Power Generation, New Brunswick Power, Hydro-Québec, Atomic Energy of Canada Limited? Are they stepping up to the plate to make sure that we have opportunities for indigenous people? Are they putting some money on the table to help?

**Ms. Laurie Swami:** My company is funded solely by those companies, so all of our programs are funded through that. I would say, however, on each one of those companies' behalfs, that they also have indigenous programs. In fact, I was at the Darlington energy complex, which is one of the largest infrastructure projects in Canada right now, and I took a picture of their indigenous relations panel because they actually had a whole pamphlet and a whole series of information about how indigenous people can enter the the workforce and support the Darlington refurbishment project.

I think that's consistent throughout our industry, and, as you would know, Cameco is one of the largest employers of indigenous people. I think that's a true testament to this sector. Certainly something that's pervasive throughout our industry is to make sure there is opportunity for everyone to participate, including indigenous people.

**The Chair:** Thank you for your questioning.

I am going to substitute for MP Dan Vandal, unless MP Oliver has questions.

As a former school trustee, I'm obviously very interested in the topic. Given that we know that many indigenous communities perhaps have weak science and mathematics curriculums, especially with something that may be very misunderstood, have you provided curriculum materials to the schools, and at what level?

**Mr. Bob Watts:** A couple things we've done to work with schools and youth are sponsoring science fairs and having some of our experts in the communities to share their educational journey with folks so that they can see that there are other opportunities out there, and what that journey looks like.

We've worked with Science North in Ontario. We've had Science North go out into a number of the communities to do workshops in science and math. We've offered summer camps based on STEM-like programs in the communities, to encourage youth to be thinking about that.

In terms of looking a bit more long range, we've started to work with unions to encourage them and to find out what they're doing in the recruitment of indigenous people. A lot of our big project stuff is still a few years away, but we're making some of those early investments now.

With respect to the 7%, I was really proud that we included that on the table, because it shows that we have work to do. We're not shying away from the fact that, even though we're a high-tech infrastructure project, we're out there looking for indigenous people to join us.

• (0935)

**The Chair:** Just going on to that point, I know that several communities are very anxious to host the waste facility because it means economic development, opportunities for employment and new hope for those communities. Many of them have over 50% indigenous people, so I would urge you, instead of looking at 8%, to look at over 50% employment.

If we had some people in a community like the Peter Ballantyne Band, what kind of training would they need? Would they need a university education? Does your organization provide scholarships and summer work opportunities? There is a bit of mentorship required to bring people from a fairly disadvantaged position into something that can lead to a wonderful career.

**Ms. Laurie Swami:** The educational opportunities are varied within our organization. Yes, we would need engineering positions. We need skilled trades, which is probably the bigger part of what we need, and other technician-level training is required, but not necessarily university education. It depends on which stream people would be interested in.

As we've talked about, we have provided funding for people to participate in those types of skilled training. That's something we're very focused on. The difficulty we have right now is that we try to hire from the local communities to the extent we possibly can.

I would say we are mainly focused in Toronto today because we haven't finally selected a site, but we look to hire local people working in the local area to support the work that we do so that we can move forward. It's an important part of our hiring strategy going forward.

**The Chair:** If you have a particular area that has granite pluton—I'm a geologist, so I have a general idea of what you're looking for—it may be in a place like Pinawa that has enormous infrastructure, but, with the political situation at the time, the site selection was not supported by the province. If that changes politically, do you also then have avenues of reconsideration? Tell me very briefly, as we only have a few seconds, how your process goes, because politics changes, as we know



● (0940) \_\_\_\_\_ (Pause) \_\_\_\_\_

● (0950)

**The Chair:** Let's get started. We're taking a little bit longer than normal, but when we have Manitoba guests, I need a little time to say hello and see friends.

Grand Chief Arlen Dumas is with us. We're very pleased to have you on the unceded territory here in Ottawa of the Algonquin people. Arlen comes from the community known as Pukatawagan to us settlers, and I've had the opportunity to work with him over the years.

We are very interested in your perspective as Grand Chief the Manitoba chiefs. Any time that you're ready, you can start.

**Grand Chief Arlen Dumas (Assembly of Manitoba Chiefs):** Thank you for the introduction. Thank you to everyone here, and I acknowledge the land that we're on. I'm just going to head right into it.

I want to thank the members of the Standing Committee on Indigenous and Northern Affairs for the time to speak to you on the talent and retention and recruitment of first nations employees in various fields of delivery of essential services on reserve, including first nations education and graduation rates for elementary to secondary schools.

It is my understanding that this will include a section on community capacity-building initiatives. Therefore, I would like to begin my presentation with the definition of capacity-building. Capacity-building is the process by which individuals and organizations obtain, improve and retain the skills and knowledge, tools and equipment and other resources needed to do their jobs competently or to a greater capacity, larger scale, larger audience, or larger impact.

Capacity-building and capacity development are often used interchangeably. The term "community capacity-building" emerged in the lexicon of international development during the 1990s, and the term is included in the programs of most international organizations that work in development, such as the World Bank, the UN and various other non-governmental organizations.

Today, community capacity-building often refers to strengthening the skills, competencies and abilities of people and communities so that they can achieve their goals and potentially overcome the causes of their exclusion and suffering. Now, when we look at the words, "potentially overcome the causes of their exclusion and suffering", we need to look through the lens of how we have been trying to build capacity to help our citizens and communities achieve their goal—the goal of inclusion, and overcoming the effects of colonial policies and legislation.

That lens, that approach, has been through the delivery of unilaterally-developed government programs that do not take into account the history, the geography and the existing capacity in the community. We are already doing a disservice to the first nations. We make the assumption that there is no capacity, so the government must build it for them. I have told many colleagues, time and time again, "Please don't come and build my capacity. Come and enhance

it." The inference is that if you need to build my capacity, I don't have any. It's very insulting.

Capacity enhancement means a person increasing their own ability to achieve their own objectives effectively and efficiently. We need to start looking at how we enhance existing capacity, because it's there. The population is there, the desire to learn is there, the desire to change one's life is there. It's in our blood memory. We want to move forward and have a hand in how we plan the future.

When we talk about the provisions of the essential services on reserve, we are talking about our health care, our education, child and family services, social assistance, housing, policing, etc. Yet, the lack of legal framework governing essential services on reserve leaves first nations vulnerable to arbitrary and sudden changes in policies.

The one piece of legislation governing the lives of first nations citizens both on and off reserve, the Indian Act, remains silent about social assistance, child welfare, child care, health, education, policing and emergency services, and other key services for individuals and their well-being in communities. Non-first nation people receive these services from the provinces and territories. Provincial legislation sets out in great detail the level of service citizens may expect, ensuring the level of accountability and program design and delivery.

First nations have been going without properly funded essential services for decades, and when Canada saw the impact of these hardships on our first nations citizens, it immediately began to negotiate cost-sharing agreements with the provinces and territories without consultation with their treaty partners. Monies for child and family infrastructure, emergency management services, etc. all flow to the provinces, and there are no plans developed with first nations to enhance capacity at the community level.

● (0955)

Moreover, there are no accountability measures in place to ensure that those dollars go to communities. For example, as a temporary measure, Ottawa decided to provide social assistance on reserve at rates and standards comparable to those provided in the provinces on nothing more than a mere policy manual. These comparable rates were not and are not reflected in the cost of living in remote and isolated communities.

Fast-forward 70 years, and we are still working with income assistance policy manuals that actually work against communities and not for them. This approach becomes the norm for all essential services on reserve, and this approach is highly problematic.

Regulation by policy manual allows unelected bureaucrats to determine the policy and dictate what the most vulnerable citizens are entitled to from the federal government. Every day federal government officials are making decisions regarding the eligibility of first nations for crucial public services. Every day Canada is creating programs that first nations must compete for by proposal submission. Not every first nation has proposal-writing experts at hand, so far too often, they are unable to access these resources and unable to attract and retain the people they need to provide the services. In many cases, the federal officials have considerable discretion in decision-making, relying only on intergovernmental policies or program guidelines that were not created by first nations. We never have the conversation about whether borrowing social policy designed by provincial lawmakers for different citizens in different circumstances adequately accommodates conditions of first nations living on reserve and respects their rights to self-government.

The Assembly of Manitoba Chiefs and the Women's Council have gone on record to state that the application of provincial child welfare laws is inappropriate and is contributing to the record numbers of first nations children taken into permanent care. How is the federal government monitoring how government staff implement policies that allow for the enhancement of capacity in our first nations communities?

Over the last two decades, at least five auditor general reports have suggested that government staff do not know and are not tracking whether essential services on reserve are actually comparable to provincial or territorial programs. This observation is corroborated by several human rights complaints lodged by first nations in the last five years, alleging programs on reserve, including the areas of child welfare, education and policing, are significantly if not consciously underfunded and not comparable to provincial or territorial services.

We in first nations country are aware that the application of policy varies from region to region. We talk of the variations in section 95 housing policies, income assistance, health and education, etc. This federal government just announced a \$4.7 billion budget to address indigenous issues, without any legislative framework. The failure to adhere to the rule of law affects policy outcomes. First nations people in Canada remain at the bottom of almost every socio-economic statistic and well-being indicator.

As the Office of the Auditor General of Canada found in its 2018 spring reports, Indigenous Services Canada has had an abysmal failure in collecting or making use of socio-economic data necessary for setting realistic benchmarks, establishing funding formulas or setting priorities for closing the gap in funding to first nations. The analysis being done is currently so askew that the department was reporting an increase in high school graduation rates on reserve when in fact that number has been declining steadily for a decade. Our populations are booming, and oh, we have 10 graduates this year but there were 30 people born in that same year. Thirty people should have graduated, but we can only fund 10 people.

The Auditor General has linked the lack of a legislative framework and appropriate funding mechanisms for programs on reserve to this problem, noting that these gaps severely limit the delivery of public services to first nations communities and hinder improvement in living conditions on reserve. The UN special

rapporteur on indigenous people has called this a human rights issue of crisis proportions.

First nations citizens in this country ought to be entitled to some basic measure of accountability from the federal government when it comes to key programs that affect some of the most vulnerable and marginalized citizens of this country, but that is a problem as well, because everything is a program.

• (1000)

Programs have end dates. Programs do not have to be renewed. The possibility of the closure of a program is ever present, like first nations policing, which is not deemed an essential service in Canada. It is threatened with closure every time the agreement with the federal government hits its expiry date. It is very hard to attract and retain qualified and interested staff when everyone knows there's a possibility they will not have a job come March 31.

In the absence of safeguards, checks and balances of a legislated and regulatory process, our first nations citizens are susceptible and vulnerable to administrative decisions made by federal employees and government officials. They lose quality staffing, they lose quality programming created by the community, and they lose momentum when they make changes.

We come up with new programs and announce new dollars, but until the funding is secure, stable and addresses inflation and population size and is embedded into the legislative framework, it will be hard to retain staffing and enhance capacity at the community level to create long-lasting changes in the socio-economic status of our communities.

Thank you for the opportunity to speak to the committee on this very important matter. I look forward to further discussions. If you require any additional information, please contact my staff. We will provide some written comments for you.

**The Chair:** Thank you so much.

We are anticipating that the bells will ring any minute now. Is there a willingness to perhaps have five-minute rounds from each party, so you will have the opportunity? Then we can go and vote.

Okay. Let's get started.

We'll start with MP Mike Bossio.

●(1005)

**Mr. Mike Bossio:** I very much apologize for this, Arlen. I enjoyed meeting you when we were in Manitoba, and you have been here before. Unfortunately, because of the timing of an upcoming bill, there's a motion that I wanted to move. I deeply apologize that I will be taking my time to do that.

As everyone knows, I have a motion that I put forward the other day. We are going to be distributing that motion right now. It is similar to what was passed the other day, except it takes into consideration some of the concerns that other members had about the motion.

In point number four, I will be changing “the committee hear from witnesses for four meetings, and that these meetings be extended” from 8:30 to 1:30. It said “at the discretion of the chair”, but I think it's important that we put in there for emphasis that it will be from 8:30 to 1:30, which would mean a total of 20 hours of witness testimony for Bill C-92 when it comes to committee.

To address some of the concerns the clerk expressed the other day, we've added to number 6—which read, that “the committee proceed with clause-by-clause consideration of the Bill no later than Tuesday, May 28, 2019—the words “subject to the Bill being referred to the committee”. This will try to ensure once again that we're not trying to leapfrog the process and that the bill needs to be referred to committee before it can go through clause-by-clause.

Recognizing there could be further concerns around points six and seven, we could either add to them “subject to the bill being referred to the committee” or make them 5 a) and 5 b), depending upon what the legislative clerk feels is the best way to address that.

With that, I will look forward to any other questions that people might have about this.

**The Chair:** Okay.

We have one technical issue. The French translation and English do not match. I believe we've agreed to four meetings, but the French translation has three, so we will correct that.

**Mr. Mike Bossio:** Thank you.

**The Chair:** Cathy, I have you on my speaking list.

**Mrs. Cathy McLeod:** My only question is for the clerks. You had significant concerns about of the way it was worded previously, given the fact that the bill has not been referred to us.

With the proposed changes to this motion, is it now acceptable and appropriate?

**The Chair:** Mr. Legislative Clerk, please.

**The Clerk of the Committee (Mr. Philippe Méla):** Yes, it is.

**The Chair:** Okay. Very good.

**Mr. Mike Bossio:** Would you recommend that we change it to 5 (a) and 5(b) for 6 and 7, or leave them as is?

It doesn't matter? Okay. Very good. We'll leave it as is.

**The Chair:** Do we vote? Has it been circulated?

**The Clerk:** Yes.

**The Chair:** Okay. We can have a vote on this motion. Are we ready?

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

**The Chair:** I believe we have about a minute and a half.

**Mr. Mike Bossio:** I'll pass my time over to the Chair.

**The Chair:** Thank you so much.

All I'd like to ask the presenter is what practical steps would you recommend we take to enhance governance capacity? You were talking about the ability to do proposals, which are complicated and often determined by the community's ability to craft these documents. How can we assist communities to become fully engaged in that process and be successful?

**Grand Chief Arlen Dumas:** I think there has to be a proper assessment of and respect for the political and technical auspices that already exist in our regions.

I think a big mistake currently being made by different people is that they're relying too heavily on the Assembly of First Nations. It is not the governing body of our governments, and we need to be mindful of that. Far too often, a breakdown occurs in communication flow.

If there are initiatives that you want to take in Manitoba, you come to the Assembly of Manitoba Chiefs, and we will work through our political apparatus and ensure that the communication and the initiatives go where they're supposed to go.

●(1010)

**The Chair:** Okay. That's good advice.

We're moving on to MP Arnold Viersen.

**Mr. Arnold Viersen:** Thank you, Madam Chair, and thank you to our guests for being here today.

One of the things that we are studying in particular with this one is high school education. You mentioned that the staff had come up with this as well. What are some of the things that we could do differently?

The funding where I'm from has been matched to the provincial level. That has increased dramatically the availability of resources, but a big part of our problem is that they have all the money sitting there but nobody to come up and teach, or that with the teachers it's a revolving door. One school there had three principals in three months. Do you have any solutions for that kind of thing?

**Grand Chief Arlen Dumas:** Yes, certainly. Manitoba has actually been the bastion of leadership on the education front, but unfortunately we've been a victim of the intentional underfunding for decades. Our community arguably was one of the first to actually take the initiative for our education authority, and I'm a product of that.

I'm grateful for it and for the leadership of the day, but unfortunately the mechanisms that were negotiated when I was going through school.... I graduated from my community. I was educated in my community. I then went to all the best educational institutions in the country. I went to Mount Allison University in Sackville, New Brunswick, which was the best undergraduate university for well over a decade.

When I was going through the entrance level to get into my school it was 1996, and the reason why I say this is that I'm a product of the reserve school system, but for literally 20 years you've heard nothing but negativity in regard to those systems. Unfortunately, those agreements that were negotiated in the early eighties have not increased. The population of my community since the early eighties is almost four times what it was. The resources that were afforded to me are no longer available to anybody because those things are stuck in place, so in order to truly change that.... I'd be interested to find out when your area was—

**Mr. Arnold Viersen:** Yes, just in the last two years or so.

**Grand Chief Arlen Dumas:** It's going to take a long time for a true catch-up. Unfortunately in Manitoba we're a long way off. The problem is that when you make these grand pronouncements, you're not ensuring that things move forward. You have institutions that deliberately derailed first nations communities by not giving them comparable funding.

Further to your question, we have examples. We have our own first nations school systems. We have our own education centres of excellence. We have these things, but again, the only reason we have them is that we had to fight for them. We shouldn't have to do that. If we want to invest in our people and in the generations to come, we should be affording them any and all resources so they can sit one day and be the grand chief of the Assembly of Manitoba Chiefs, having gone to all the best academic institutions in this country. Unfortunately, in my life I see that we have literally stepped back two generations. It shouldn't be that way.

**Mr. Arnold Viersen:** How much time do I have left?

**The Chair:** You have about a minute and a half.

**Mr. Arnold Viersen:** All right.

Is there anything else you wanted to put on the record today?

**Grand Chief Arlen Dumas:** Yes, I want to say that when people look into the issue that they look at the heart of the matter. Unfortunately, we're always blamed for our misery, when nothing could be further from the truth. Oh, it's about accountability. Every cent that comes to our communities is audited four to six times a year. If you want accountability, let's talk to the provincial governments that have benefited from using our statistics for decades, that have received resources on behalf of our membership and have never had to pay a cent toward educating our people. That's the reality that people need to take a look at.

• (1015)

**The Chair:** MP Rachel Blaney; you're next.

**Ms. Rachel Blaney:** First of all, thank you so much for being here today. I really appreciate what you brought to the table.

You talked earlier about essential services and the fact that there is no legal framework keeping that level of accountability. What I

heard loud and clear from you is how do you build capacity when the essential services are not there? They're not providing that foundation.

I'm just wondering what steps you think need to be taken by the federal government, by provincial governments, so we can send along a message that they look at that framework and make sure it's there for essential services.

**Grand Chief Arlen Dumas:** You'll enhance my capacity.

Again, by making a meaningful effort to build relationships. On the one hand, we have a quite a long history of working with our federal partners. We do audits. We do all the things we need to do to move forward. Then other envelopes of funding are earmarked for first nations people that go to the provincial coffers. There's no accountability there. There's no reporting back. There's no update.

When we do initiatives, or training for that matter, I'll give you an example. In my community we're fortunate to have a construction company that's made an effort to train and bring people forward. Because we're able to do that in this case, we're able to hold our provincial partners who receive employment and training funding on our behalf, and we force them to the table.

How many other communities are unable to do that?

Then where do those resources go that were earmarked for that training?

Fortunately, in that case, in that community we have our own journeymen carpenters who are building our own housing projects and doing all of these things. There needs to be more of a mechanism to hold people more accountable. The best way to do that is to make agreements with your treaty partners. We have resources for you; we want you to use them. You want us to do a million reports; we'll do it. That would be more accountable than what's currently happening.

**Ms. Rachel Blaney:** You talked also about how everything is a program. It's a real challenge to maintain and keep great people working in your community because those programs are always short term. Then it's year to year, and you don't know.

How would you work with your federal partners to make that better?

**Grand Chief Arlen Dumas:** Let's do multi-year programs. Let's make a plan. We have to be fiscally responsible and accountable. We know how things are going to go. Take right now for that matter. We already know our best practices in our region. We've shown how to do things responsibly. Let's make a multi-year agreement that will transcend election cycles.

Do you know what I mean? It's about making the proper investments for people.

**Ms. Rachel Blaney:** I really heard that clearly, too. With the essential services, it's as if every new government that comes in deems how essential services should be, so that brings a lot of.... It's making it less.

Can you talk to me about rural and remote communities? I represent a lot of really rural and remote communities. I think of the multiple challenges they have in addressing the day-to-day issues. In the indigenous communities that I represent, a lot of the essential services are getting paid for by the revenue that they're creating in their own communities, so they never have the ability to take that next step to build up the strength of their community because they're paying again and again for the essential services that are underfunded.

**Grand Chief Arlen Dumas:** Right. It must be noted that a lot of these services were chronically, if not deliberately, underfunded. You need to address that. If you want to talk about doing things properly, then you need to have a discussion on the fact that things have been chronically underfunded for literally 30 years. Today we can talk about making plans on steps forward, but unless you deal with that chronic underfunding, how do you get people up to date? That is in fact what happens. "Well, use your own source of revenue." "Well, I can't because I'm paying for funerals and I'm paying for all these other things that people are unaware of that are actual costs to communities."

How do you address that?

Again, you need to make arrangements and agreements that will meet everybody's needs. If the issue is reporting and accountability, then make agreements with people.

● (1020)

**Ms. Rachel Blaney:** And more accountability in terms of what you are paying to the provinces or what the provinces are getting, compared to—

**Grand Chief Arlen Dumas:** Absolutely.

For instance, I can tell you that there have been eight personal care homes—we had to call them personal care homes—operating on reserve for the past 40 years looking after our elders. I bet you if you looked at the census, you'd find that the Province of Manitoba has used those numbers to acquire resources, but because the on-reserve institutions cannot meet an arbitrary provincial standard, no funding has ever flowed.

**The Chair:** On that note, we have to call it quits.

We have 15 minutes to get to the House for the vote.

ᑲᑲᑲᑲᑲ. Thank you.

The meeting is adjourned.

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