



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# **ISSUES RELATED TO FIRST NATIONS COMMUNITIES WITHOUT RESERVE LANDS**

**Report of the Standing Committee on Indigenous and  
Northern Affairs**

**Terry Sheehan, Chair**

**JUNE 2026  
45th PARLIAMENT, 1st SESSION**

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**Terry Sheehan  
Chair**

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## **NOTICE TO READER**

### **Reports from committees presented to the House of Commons**

Presenting a report to the House is the way a committee makes public its findings and recommendations on a particular topic. Substantive reports on a subject-matter study usually contain a synopsis of the testimony heard, the recommendations made by the committee, as well as the reasons for those recommendations.

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# **THE STANDING COMMITTEE ON INDIGENOUS AND NORTHERN AFFAIRS**

has the honour to present its

## **FIFTH REPORT**

Pursuant to its mandate under Standing Order 108(2), the committee has studied issues related to federally recognized Indigenous communities that do not have a land base, reserve or modern treaty and has agreed to report the following:



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## LIST OF RECOMMENDATIONS

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*As a result of their deliberations committees may make recommendations which they include in their reports for the consideration of the House of Commons or the Government. Recommendations related to this study are listed below.*

### **Recommendation 1**

**That Indigenous Services Canada publish the most recent version of the New Bands and Band Amalgamations Policy as well as the steps required for proposals for new First Nations band creation on its website, both accompanied by plain language summaries translated into Indigenous languages.** 14

### **Recommendation 2**

**That Indigenous Services Canada provide a report to the committee on any initiatives to revise the New Bands and Band Amalgamations Policy, including the involvement of First Nations in this process, by 30 September 2026.** 14

### **Recommendation 3**

**That Indigenous Services Canada and Crown-Indigenous Relations and Northern Affairs Canada undertake a review of all additions to reserve proposals from federally recognized First Nations without reserve lands, list known barriers for each affected First Nation, and report back to the committee on the results of this analysis by 30 September 2026.** 20

#### **Recommendation 4**

**That Indigenous Services Canada and Crown-Indigenous Relations and Northern Affairs Canada work with federally recognized First Nations without reserve lands to create an action plan on a dedicated and expedited reserve creation process specifically for First Nations without any reserve lands, which includes targeted funding for meaningful participation, dedicated funding to support land acquisition, land management and the administrative procedures necessary to obtain reserve status, clear timelines, measurable results, and First Nations-led capacity support at every step in the process to ensure that outcomes reflect local priorities and self-determined development; and that the departments report annually on the implementation of the plan and the status of inequities facing First Nations without reserve status to the Standing Committee on Indigenous and Northern Affairs in 2027 and 2028.** 21

#### **Recommendation 5**

**That Indigenous Services Canada and Crown-Indigenous Relations and Northern Affairs Canada develop a detailed, publicly accessible guide outlining the specific responsibilities of all parties involved at every step of the additions to reserve process.** 21

#### **Recommendation 6**

**That Crown-Indigenous Relations and Northern Affairs Canada immediately enter into negotiations with the provinces and territories regarding federally recognized First Nations communities without reserve status, including but not limited to, Wolf Lake First Nation and Long Point First Nation, in order to enable them to obtain reserve status if they wish.** 21

#### **Recommendation 7**

**That Indigenous Services Canada and Crown-Indigenous Relations and Northern Affairs Canada submit to the Standing Committee on Indigenous and Northern Affairs detailed information on all federal processes, programs and criteria available to communities seeking reserve status, including eligibility requirements, available funding, deadlines and any obstacles they may encounter; and that this information be updated annually in 2026, 2027 and 2028.** 21

### **Recommendation 8**

**That the federal government revise and adjust its policies and processes for granting reserve status to ensure that they align with Canada's commitments under the *United Nations Declaration on the Rights of Indigenous Peoples*, particularly with respect to the right to land, territory and self-determination for communities without reserve lands.**

**21**

### **Recommendation 9**

**That Indigenous Services Canada with the consent of the relevant First Nations, publish and maintain on its website an up-to-date list of federally recognized First Nations without reserve lands, including the designation of their land base if applicable, and regularly update this information as changes occur and upon receiving consent from the relevant First Nations.**

**22**





# ISSUES RELATED TO FIRST NATIONS COMMUNITIES WITHOUT RESERVE LANDS

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## INTRODUCTION

Indigenous Peoples' relationships to the land are a central part of their identity and are reflected in their cultures, languages, and forms of governance. First Nations lived on their traditional territories thousands of years before the arrival of Europeans. The children of relationships between First Nations and European fur traders became the Métis, a People who also developed connections to certain territories. The House of Commons Standing Committee on Indigenous and Northern Affairs' (the committee) 2024 report titled [\*"We Belong to the Land": The Restitution of Land to Indigenous Nations\*](#) (the 2024 report) explains that:

Land is a central part of Indigenous identities, cultures, languages, governance and laws. Land is essential to respecting Indigenous rights, including the right to self-determination. Indigenous Nations were robbed of their lands throughout Canadian history, which continues to affect Indigenous health, well-being, governance, culture and ways of life. Historically Indigenous Nations were left out of the Canadian economy and received few benefits from development on their lands.<sup>1</sup>

The committee's 2024 report indicates that "Indigenous Nations were dispossessed of their lands throughout Canadian history and continue to experience dispossession today."<sup>2</sup> The 2024 report also notes that "First Nations were excluded from economic opportunities and separated from the Canadian economy by being forced on reserves."<sup>3</sup> Under the *Indian Act*, reserves are defined as tracts of land that have been set apart by the Crown for the use and benefit of a First Nation. The legal title to reserve lands rests with the federal Crown.<sup>4</sup> The *Indian Act* contains provisions related to reserve lands, including a taxation exemption for the personal property and income of status First Nations' individuals situated or earned on reserve in certain circumstances

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1 House of Commons, Standing Committee on Indigenous and Northern Affairs (INAN), [\*"We Belong to the Land": The Restitution of Land to Indigenous Nations\*](#), Fourteenth report, May 2024, p. 1.

2 *Ibid.*, p. 11.

3 *Ibid.*, p. 24.

4 [\*Indian Act\*](#), R.S.C., 1985, c. I-5, s. 2(1).



(section 87), as well as the inability to use reserve land as collateral (section 89).<sup>5</sup> Today, many First Nations have reserve lands, although some do not.

First Nations without reserve lands face challenges accessing many federal programs, pursuing economic development opportunities, maintaining community connection with the land, and revitalizing culture and language.<sup>6</sup> Indigenous Services Canada (ISC) refers to First Nations without reserve lands as “landless,” however, Chief Lisa Robinson, Wolf Lake First Nation, reminded the committee that:

We are not landless. We have always had our territory, the territory that our people have occupied, governed and cared for since long before Confederation. We are reserveless because Canada has failed to fulfill its obligation to set aside reserve lands.<sup>7</sup>

Therefore, this report will use the term “First Nations without reserve lands” to describe the situation facing some First Nations.

For many years, First Nations without reserve lands have worked to obtain them through various federal processes. The committee studied mechanisms to return land to Indigenous Peoples in its 2024 report. However, this work did not substantively consider the unique situation of First Nations without reserve lands.

On 24 November 2025, the committee adopted the following motion:

That, pursuant to Standing Order 108(2), the committee undertake a study on issues related to federally recognized Indigenous communities that do not have a land base or reserve status, as well as those of federally recognized Indigenous nations that do not have a modern treaty; that the study examine how federal authorities can recognize and expedite processes of implementation; that the committee allocate at least four (4) meetings to this study; and that it report its findings and recommendations to the House.<sup>8</sup>

As part of its study, the committee heard from First Nations with diverse experiences, including some without reserve lands. The committee also received briefs from First

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5 Ibid., ss. 87, 89.

6 For example, see: INAN, [Evidence](#), 3 February 2026, 1210 (Céline Cassivi, Chief, La Nation Micmac de Gespeg); INAN, [Evidence](#), 3 February 2026, 1220 (Lisa Robinson, Chief, Wolf Lake First Nation).

7 INAN, [Evidence](#), 3 February 2026, 1220 (Lisa Robinson, Chief, Wolf Lake First Nation).

8 INAN, [Minutes](#), 24 November 2025.

Nations without reserve lands. The committee wishes to thank all witnesses who participated in this study.

This report builds on the committee’s 2024 report to focus specifically on the challenges for First Nations without reserve lands and identify solutions to address this longstanding issue. The first section of this report discusses the historical and contemporary context of First Nations without reserve lands. The remainder of the report discusses federal policies and processes raised by First Nations trying to obtain reserve lands including federal recognition, specific claims and additions to reserve. The report then discusses access to information that could support First Nations without reserve lands to work together on this issue.

## OVERVIEW OF FIRST NATIONS WITHOUT RESERVE LANDS

As witnesses pointed out, there are several federally recognized First Nations who do not have reserve lands, often tied to specific and varied historical circumstances.<sup>9</sup> The history of First Nations’ relationships with Canada provides context to explain why some First Nations remain without reserves.

After the 1850s, historic treaties between First Nations and the Crown often included provisions for the creation of reserves. In some cases, First Nations were missed by treaty commissioners responsible for negotiating the treaties, and, therefore, were not granted reserve lands as promised.<sup>10</sup> In other cases, the absence of reserve lands is linked to forced relocations and resource development. Chief Steeve Mathias, Long Point First Nation, told the committee that Long Point First Nation, now located in Winneway, near Lac Simard, in western Quebec, was originally located westward at Kakinwawigak, also referred to as Lac des Quinze. However, the construction of hydroelectric dams in the early 20th century flooded the territory and forced Long Point First Nation to relocate twice, eventually to its current location.<sup>11</sup> Historical research undertaken by Long Point First Nation showed that their former Chief sent letters to the federal government requesting reserve land in 1906, prior to the flooding of their lands. A brief by Long Point First Nation argues that from 1911 to 1913, the Department of Indian Affairs inquired about the availability of land to create a reserve for Long Point First

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9 INAN, *Evidence*, 3 February 2026, 1205 (Linda Debassige, Grand Council Chief, Anishinabek Nation, Assembly of First Nations); INAN, *Brief*, Assembly of First Nations Quebec-Labrador, p. 1.

10 INAN, *Evidence*, 3 February 2026, 1205 (Linda Debassige, Grand Council Chief, Anishinabek Nation, Assembly of First Nations).

11 INAN, *Brief*, Long Point First Nation, p. 1.



Nation at Lake Keewagama (today Lake Preissac), but the Quebec government refused to transfer lands because of existing timber licences.<sup>12</sup>

Long Point First Nation's brief explains that in 1959, pursuant to letters patent issued by the Quebec government, Oblate missionaries acquired lots of land totalling 116 acres of land in current-day Winneway for religious and educational purposes, which is where the community is established to this day.<sup>13</sup> However, the letters patent prevented the sale, lease, gift or transfer of the land without prior consent of the Quebec government.<sup>14</sup> Parts of Long Point First Nation's land base also extends to provincial Crown lands under the authority of the Quebec government.<sup>15</sup> According to the brief submitted to the committee by Long Point First Nation:

This legal framework ensured that, even though these Lots are located on our unceded territory and have long been occupied by our community, they could neither be transferred nor sold to us by the Oblat[e]s. In practical terms, this regime deliberately foreclosed any possibility for LPFN [Long Point First Nation] to acquire, secure, or exercise control over a land base, entrenching our historical exclusion from decision-making authority over lands that are fundamental to our identity, governance, and continued existence.<sup>16</sup>

Long Point First Nation describes several agreements entered into over the years by the Oblates, the Quebec government, the federal government and third parties to develop the lots, including the construction of a nursery and medical dispensary.<sup>17</sup> The Quebec government has also authorized ISC to build a school, extend residential streets and develop a wastewater treatment site on Crown land next to the lots.<sup>18</sup> However, the brief points out that:

Although some of these initiatives were presented as being undertaken in our "interest," with the stated objective of improving infrastructure or providing services to our community, they were nonetheless conceived, negotiated, and implemented without our involvement, consent, or decision-making authority. As a result, fundamental decisions affecting our lands and our community were made on our behalf by third

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12 Ibid., p. 6.

13 INAN, *Evidence*, 3 February 2026, 1215, 1220 (Steeve Mathias, Chief, Long Point First Nation) and INAN, *Brief*, Long Point First Nation, p. 4.

14 INAN, *Brief*, Long Point First Nation, p. 4.

15 Ibid., pp. 4–5.

16 Ibid., p. 4.

17 Ibid., p. 5.

18 Ibid., p. 5.

parties, perpetuating a paternalistic and colonial approach that has excluded LPFN [Long Point First Nation] from control over our own development.<sup>19</sup>

Long Point First Nation explains that in 2023, the Oblates abandoned the lots; the Quebec government is now the owner. Today, Long Point First Nation still does not have a land base with official reserve status, an issue they have been working on since the beginning of the 20th century.<sup>20</sup>

Similarly, Chief Lisa Robinson, Wolf Lake First Nation, told the committee that Wolf Lake First Nation, located in Western Quebec at Hunter's Point, has petitioned Canada for reserve lands for more than 200 years, to no avail. Wolf Lake First Nation is currently in negotiations, but no agreement has been reached to date. According to Chief Lisa Robinson, "[w]hen the systems that Canada relies on, whether negotiations or tribunal processes, extend over many years without tangible results, the process itself becomes a substitute for justice."<sup>21</sup>

First Nations without a reserve face adverse consequences. The Assembly of First Nations Quebec-Labrador (AFNQL) wrote in a brief that "[a] land base is not a privilege; it is an essential prerequisite for exercising inherent rights as protected under section 35 of the *Constitution Act, 1982*."<sup>22</sup> According to the AFNQL, First Nations without a land base "are rendered strangers, tenants, and, at times, expatriates in the very lands that are inherently [theirs]."<sup>23</sup> The AFNQL argues that the lack of territorial recognition undermines the government-to-government relationship that First Nations hold with the Crown.<sup>24</sup> The AFNQL also points out that these challenges are contrary to the *United Nations Declaration on the Rights of Indigenous Peoples* which has been affirmed as a "universal international human rights instrument with application in Canadian law."<sup>25</sup> The brief points to article 26 of the *United Nations Declaration on the Rights of Indigenous Peoples*, which states that Indigenous Peoples have rights to lands, territories and resources which they "traditionally owned, occupied or otherwise used or acquired"

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19 Ibid., pp. 5–6.

20 Ibid., p. 6.

21 INAN, *Evidence*, 3 February 2026, 1220 (Lisa Robinson, Chief, Wolf Lake First Nation).

22 INAN, *Brief*, Assembly of First Nations Quebec-Labrador, p. 2.

23 Ibid.

24 Ibid.

25 *United Nations Declaration on the Rights of Indigenous Peoples Act*, S.C. 2021, c. 14, s. 4.



and that States shall provide legal recognition and protection for these lands, territories and resources.<sup>26</sup>

In addition, First Nations without a reserve can face persistent challenges maintaining essential aspects of community life and development, notably related to language and culture. Chief Céline Cassivi of la Nation Micmac de Gespeg, told the committee that the absence of reserve land for her Nation meant that members were dispersed across a large territory, affecting the transmission of language, culture and traditions.<sup>27</sup> She told the committee that no member of la Nation Micmac de Gespeg currently speaks Mi'gmaq.<sup>28</sup> Similarly, Chief Lisa Robinson described in striking terms the effects of the absence of reserve land on Wolf Lake First Nation's identity:

The current generation of [E]lders is the last with lived memory of Wolf Lake together as a community gathered on our land. As they pass, that irreplaceable knowledge, continuity and living history are lost. No future settlement can restore what is being lost through delay. At this stage, time itself has become the harm.<sup>29</sup>

She emphasized that families were forced to live apart because they could not live on the same land.<sup>30</sup> Some families also became members of nearby First Nations to secure housing, employment and services not available at Wolf Lake.<sup>31</sup>

The committee heard that eligibility for many federal programs is based on residency on reserve. Witnesses told the committee that this prevented their members from accessing federal programming for First Nations.<sup>32</sup> Chief Céline Cassivi pointed out that before her community obtained reserve lands in December 2025, it had access to only three federal funding programs, compared to 27 for other First Nations communities.<sup>33</sup> Moreover, during the COVID-19 pandemic, the community received very little federal financial support because it did not have reserve lands. The AFNQL added that programs

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26 [\*United Nations Declaration on the Rights of Indigenous Peoples\*](#), 2007, article 26.

27 INAN, [\*Evidence\*](#), 3 February 2026, 1210 (Céline Cassivi, Chief, La Nation Micmac de Gespeg).

28 *Ibid.*, 1235.

29 INAN, [\*Evidence\*](#), 3 February 2026, 1220 (Lisa Robinson, Chief, Wolf Lake First Nation).

30 *Ibid.*; INAN, [\*Brief\*](#), Wolf Lake First Nation, p. 4.

31 INAN, [\*Brief\*](#), Wolf Lake First Nation, pp. 5–6.

32 *Ibid.*; INAN, [\*Evidence\*](#), 3 February 2026, 1210 (Céline Cassivi, Chief, La Nation Micmac de Gespeg); INAN, [\*Brief\*](#), Assembly of First Nations Quebec-Labrador, p. 2.

33 INAN, [\*Evidence\*](#), 3 February 2026, 1210 (Céline Cassivi, Chief, La Nation Micmac de Gespeg).

only available to First Nations on reserve hindered the ability of First Nations without reserve lands to exercise their inherent right to self-determination.<sup>34</sup>

The committee also heard about economic development challenges for First Nations without reserve lands. Witnesses argued that land is essential to create an economic base for a First Nation's members.<sup>35</sup> Furthermore, witnesses told the committee that without reserve land or access to federal programs whose eligibility is based on residency on reserve, First Nations cannot adequately support housing and community infrastructure.<sup>36</sup> Chief Lisa Robinson told the committee Wolf Lake First Nation members "have left to secure housing in our neighbouring communities and to have access to more programs and services as well."<sup>37</sup> A brief submitted by Long Point First Nation also points out that the absence of a reserve land causes public safety concerns. According to the brief, jurisdictional gaps and the legal uncertainty of property titles, given that many buildings may have been constructed without formal provincial authorization, prevent the enforcement of community bylaws related to matters like housing.

The following section builds on witness testimony to discuss federal policies and processes, notably pertaining to federal recognition of First Nations bands, specific claims, additions to reserve and information to support First Nations without reserve lands.

## FEDERAL POLICIES AND PROCESSES

Witnesses described the return of land to First Nations as a foundational part of reconciliation, addressing injustices and respecting Indigenous rights.<sup>38</sup> First Nations without reserve lands have taken various approaches to obtain a land base, including through federal processes for recognition of First Nations bands and the establishment of reserves. The AFNQL stated that First Nations communities "have spent decades attempting to resolve outstanding land questions, only to face repeated administrative

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34 INAN, [Brief](#), Assembly of First Nations Quebec-Labrador, p. 2.

35 INAN, [Evidence](#), 3 February 2026, 1230 (Lisa Robinson, Chief, Wolf Lake First Nation); INAN, [Evidence](#), 3 February 2026, 1245 (Steeve Mathias, Chief, Long Point First Nation).

36 INAN, [Evidence](#), 3 February 2026, 1205 (Linda Debassige, Grand Council Chief, Anishinabek Nation, Assembly of First Nations); INAN, [Evidence](#), 3 February 2026, 1220 (Lisa Robinson, Chief, Wolf Lake First Nation).

37 INAN, [Evidence](#), 3 February 2026, 1235 (Lisa Robinson, Chief, Wolf Lake First Nation).

38 INAN, [Evidence](#), 3 February 2026, 1205 (Linda Debassige, Grand Council Chief, Anishinabek Nation, Assembly of First Nations); INAN, [Brief](#), Assembly of First Nations Quebec-Labrador, pp. 1–3; INAN, [Evidence](#), 3 February 2026, 1240 (Lisa Robinson, Chief, Wolf Lake First Nation); INAN, [Brief](#), Long Point First Nation, p. 13.



delays, shifting mandates and authorities, and uncertainty within federal processes.”<sup>39</sup> Grand Council Chief Linda Debassige, Anishinabek Nation, suggested that federal processes to return land are “painfully slow” and that Canada lacks political will to move faster to return lands.<sup>40</sup> Wolf Lake First Nation Chief Lisa Robinson also commented on the pace of federal processes and political will, noting that:

The government has shown that it can move quickly when it wants to or chooses to, yet when it comes to reconciliation and providing a land base to a historic [F]irst [N]ation, we are told the system cannot move...The absence of a reserve for Wolf Lake First Nation is not an accident. It is a choice that can and must be corrected.<sup>41</sup>

Long Point First Nation commented on the onus upon First Nations to make a case for the establishment of a reserve:

Despite the complexity of the file, which is entirely of the Crown’s making, we are left to shoulder the burden of untangling it. Both federal and provincial governments treat this as a question of policy and procedure, while jurisdictional disputes leave us as bystanders to a game of “passing the ball” between the Crowns. For our community, however, the consequences are immediate and tangible.<sup>42</sup>

As noted above, the committee heard that ongoing delays in returning land continue to affect First Nations identity, cultural continuity, self-determination and community cohesion.<sup>43</sup> The following section will describe First Nations participation in federal processes for recognition and access to reserve lands substantively discussed in testimony.

## Federal Recognition of First Nations Bands

First Nations seeking reserve lands through federal processes must be federally recognized under the *Indian Act* before a reserve can be created.<sup>44</sup> The AFNQL stated that “[t]he requirement for First Nations to be ‘federally recognized’ reflects a colonial

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39 INAN, [Brief](#), Assembly of First Nations Quebec-Labrador, p. 2.

40 INAN, [Evidence](#), 3 February 2026, 1205 (Linda Debassige, Grand Council Chief, Anishinabek Nation, Assembly of First Nations).

41 INAN, [Evidence](#), 3 February 2026, 1225 (Lisa Robinson, Chief, Wolf Lake First Nation).

42 INAN, [Brief](#), Long Point First Nation, p. 9.

43 INAN, [Evidence](#), 3 February 2026, 1220 (Lisa Robinson, Chief, Wolf Lake First Nation); INAN, [Brief](#), Assembly of First Nations Quebec-Labrador, p. 3.

44 INAN, [Evidence](#), 3 February 2026, 1110 (Ian Kenney, Director General, Governance Branch, Department of Indigenous Services).

legacy in which our identities and rights are validated through an external government lens rather than through our own inherent nationhood.”<sup>45</sup>

Pursuant to section 17(1) of the *Indian Act*, the Minister of Indigenous Services has the authority to create new First Nations bands and divide or amalgamate existing ones, subject to certain conditions.<sup>46</sup> Ian Kenney, Director General, Governance Branch, Department of Indigenous Services, indicated that a First Nations band could be created pursuant to the terms and definitions section of the *Indian Act* (section 2), if its members are not registered under the *Indian Act*.<sup>47</sup> Section 6 of the *Indian Act* contains provisions concerning the registration of First Nations individuals.<sup>48</sup> ISC officials noted that there is a federal policy with respect to the federal recognition of new First Nations bands,<sup>49</sup> the New Bands and Band Amalgamations Policy, although a copy of the most recent version is not available on the department’s website. ISC provided some details about the process for the federal recognition of First Nations bands, noting that it involves historical research and engagements with neighbouring First Nations, a process that can be “fairly lengthy.”<sup>50</sup>

The committee heard that the federal government has recognized a “very small number of [F]irst [N]ations in recent years, most often as a result of historical exclusion from recognition, specific court decisions or claims-based processes.”<sup>51</sup> However, federal recognition alone does not confer reserve lands or provide automatic access to federal programming.<sup>52</sup> La Nation Micmac de Gespeg described the importance of federal recognition as “essential for communities like ours to achieve self-sufficiency and protect our culture.”<sup>53</sup> Chief Helen Paavola, Namaygoosisagagun First Nation, explained that her community is seeking federal recognition. Chief Paavola argued that the New Bands and Band Amalgamations Policy is ineffective because it does not consider the situation of Namaygoosisagagun First Nation, a “situated community” in northwestern Ontario that

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45 INAN, *Brief*, Assembly of First Nations Quebec-Labrador, p. 2.

46 *Indian Act*, R.S.C., 1985, c. I-5, s. 17(1); INAN, *Evidence*, 3 February 2026, 1110 (Ian Kenney, Director General, Governance Branch, Department of Indigenous Services).

47 INAN, *Evidence*, 3 February 2026, 1110 (Ian Kenney, Director General, Governance Branch, Department of Indigenous Services).

48 *Indian Act*, R.S.C., 1985, c. I-5, s. 6.

49 INAN, *Evidence*, 3 February 2026, 1120 (Ian Kenney, Director General, Governance Branch, Department of Indigenous Services).

50 *Ibid.*, 1125.

51 *Ibid.*, 1110.

52 *Ibid.*

53 INAN, *Evidence*, 3 February 2026, 1210 (Céline Cassivi, Chief, La Nation Micmac de Gespeg).



is comprised of status First Nations people.<sup>54</sup> Ultimately, when the federal policy and process did not result in federal recognition for Namaygoosisagagun First Nation, the community decided, in December 2018, to apply to the Federal Court for judicial review in respect of their request for the creation of a new band under s. 17 of the *Indian Act*.<sup>55</sup> Chief Helen Paavola suggested that the federal policy needs to be reviewed and should consider First Nations that already have established communities with a land base.<sup>56</sup>

The committee acknowledges that there may be work underway to revise the New Bands and Band Amalgamations Policy.<sup>57</sup> However, information about the progress of this work and copies of the current policy do not appear to be publicly available on the department's website. The department's website includes limited information for prospective First Nations interested in pursuing federal recognition. The committee believes that First Nations, including those seeking federal recognition, should be involved in any work to update the New Bands and Band Amalgamations Policy. Online, public access to copies of the policy and the process can support First Nations in providing feedback on any policy updates while enabling them to determine if they wish to participate in federal recognition processes.

For this reason, the committee recommends:

#### **Recommendation 1**

**That Indigenous Services Canada publish the most recent version of the New Bands and Band Amalgamations Policy as well as the steps required for proposals for new First Nations band creation on its website, both accompanied by plain language summaries translated into Indigenous languages.**

#### **Recommendation 2**

**That Indigenous Services Canada provide a report to the committee on any initiatives to revise the New Bands and Band Amalgamations Policy, including the involvement of First Nations in this process, by 30 September 2026.**

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54 INAN, *Evidence*, 3 February 2026, 1210 (Helen Paavola, Chief, Namaygoosisagagun First Nation, Assembly of First Nations).

55 Ibid.

56 Ibid.

57 Government of Canada, *Transition 2022 Deputy Minister Wilson Indigenous Services Canada Overview — Book 2*.

## Specific Claims

Federally recognized First Nations can participate in the specific claims policy and process. Specific claims are submitted by First Nations to the Government of Canada and relate to the dispossession of First Nations from their lands, the improper management of First Nations funds and the non-fulfilment of historic treaties. In 2008, the *Specific Claims Tribunal Act* established an independent body known as the Specific Claims Tribunal to make final decisions on specific claims. Section 16(1) lists the circumstances whereby a First Nation may file a claim with the Specific Claims Tribunal including, for example, if it has been previously filed with the Minister and the Minister has notified the First Nation in writing of their decision not to negotiate all or part of the claim.<sup>58</sup>

In 2018, Wolf Lake First Nation filed a specific claim with the aim of obtaining a land base. Negotiations started in 2020. Chief Lisa Robinson stated that:

This current process of negotiation has been challenging. When I entered into these negotiations, we received a mandate letter from the former minister, Carolyn Bennett. In her letter, she referred to a comprehensive process for the people of Wolf Lake. However, in the negotiation, it is far from comprehensive.<sup>59</sup>

In a brief, Wolf Lake First Nation indicated that their specific claim is currently before the Specific Claims Tribunal. Wolf Lake First Nation argued that the Specific Claims Tribunal “remains under-resourced, and claims are not being resolved more efficiently than through the courts.”<sup>60</sup>

## Additions to Reserve

Once federally recognized, First Nations can also participate in the federal additions to reserve process to add land to their reserve or create a new one. Additions to reserve and reserve creation are governed by the [Policy on Additions to Reserve/Reserve Creation](#) (the Additions to Reserve Policy). Reserves can be created in several ways under the Policy, including under a negotiated settlement agreement with the affected First Nation or as part of the resolution of a specific claim. Note that in accordance with witness testimony, this report uses the term “additions to reserve” to refer to all forms of reserve creation under the Additions to Reserve Policy. The following section will discuss witness testimony on additions to reserve including challenges and solutions.

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58 [Specific Claims Tribunal Act](#), (S.C. 2008, c. 22), s. 16(1)(a).

59 INAN, [Evidence](#), 3 February 2026, 1240 (Lisa Robinson, Chief, Wolf Lake First Nation).

60 INAN, [Brief](#), Wolf Lake First Nation, p. 3.



Responsibility for the Additions to Reserve Policy is shared by Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) and ISC.<sup>61</sup> Of note, the Additions to Reserve Policy requires provinces and territories to be consulted concerning reserve creation proposals. The federal government has been undertaking work to redesign the policy with First Nations in order to make it faster and more efficient.<sup>62</sup> As part of this work, the departments made nine interim changes in 2024.<sup>63</sup> One of these changes eliminated the provision that First Nations without reserve lands could only submit a proposal for reserve creation if the proposal was connected to a settlement agreement with Canada.<sup>64</sup> According to ISC, this change “created a new path to reserve land for communities without reserve lands for generations.”<sup>65</sup>

ISC provided an overview of the steps involved in the additions to reserve process:

The ATR [additions to reserve] process involves numerous external parties and steps, such as completing surveys, environmental reviews of proposed land, work to address any existing third party interests on the proposed land, negotiating municipal services agreements, etc. The process is proposal driven and largely led by the [F]irst [N]ation.<sup>66</sup>

Witnesses described a lengthy reserve creation process that does not address community needs. The AFNQL indicated that First Nations have been waiting generations for the federal government to fulfill their commitments to create reserve lands.<sup>67</sup> Long Point First Nation argued that despite recent policy changes, “reserve creation remains a complex and lengthy process, burdened with multiple administrative hurdles, including the need to address third-party interests on lands proposed for transfer.”<sup>68</sup> Both Wolf Lake First Nation and Long Point First Nation indicated that additions to reserve policies and processes are applied uniformly without considering the needs and circumstances of First Nations communities.<sup>69</sup> Wolf Lake First Nation argued that “[a] one-size-fits-all ATR [addition to

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61 Government of Canada, *Preliminary engagement: What we heard report*.

62 INAN, *Evidence*, 3 February 2026, 1115, 1130 (Darlene Bess, Assistant Deputy Minister, Resolution and Partnerships, Department of Crown-Indigenous Relations and Northern Affairs).

63 *Ibid.*, 1105.

64 *Ibid.*

65 *Ibid.*

66 INAN, *Evidence*, 3 February 2026, 1110 (Ian Kenney, Director General, Governance Branch, Department of Indigenous Services).

67 INAN, *Brief*, Assembly of First Nations Quebec-Labrador, p. 3.

68 INAN, *Brief*, Long Point First Nation, p. 12.

69 *Ibid.*, p. 8; INAN, *Brief*, Wolf Lake First Nation, p. 5.

reserve] approach is therefore ill-suited to resolving long-standing cases of non-provision of reserve lands such as that of Wolf Lake First Nation.”<sup>70</sup>

Wolf Lake First Nation Chief Lisa Robinson shared her community’s experience over the last several decades:

In the 1980s, we were close. We had site selection. We had land and there was a momentum of hope for the people of Wolf Lake. I remember being a little girl when those consultations were happening. There was excitement, thinking we would be situated together as a community, with my grandparents nearby. That was unilaterally stopped. The plug was pulled, and we don't know why. Fast-forward to the earlier 2000s, and we were promised an expedited process...There's a long history of these colonial processes that have stopped this and taken from us, and it has to change.<sup>71</sup>

As noted above, Wolf Lake First Nation is currently in negotiations to obtain reserve lands through the specific claims process.

Wolf Lake First Nation Chief Lisa Robinson attributed the challenges experienced by her community in accessing reserve lands to a lack of political will.<sup>72</sup> According to a brief submitted by Wolf Lake First Nation, at multiple points during its negotiations to obtain reserve lands, “momentum was halted not by Wolf Lake First Nation, but by federal process resets, policy shifts, or institutional restructuring.”<sup>73</sup>

Some First Nations described challenges when working with provincial and federal governments. Long Point First Nation is exploring the possibility of acquiring or purchasing lands and pursuing reserve creation through the federal process. However, Long Point First Nation argued that the Government of Quebec is “not willing to sell or transfer Crown lands to Indigenous groups.”<sup>74</sup> Long Point First Nation also indicated that despite their participation in trilateral discussions with the federal government and Quebec to establish a land base, the First Nation was excluded from key discussions. Taken together, the brief states that “both governments have undermined our authority to make decisions over our own lands and resources, constituting a direct breach of our right to self-determination.”<sup>75</sup> Wolf Lake First Nation noted that:

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70 INAN, *Brief*, Wolf Lake First Nation, p. 5.

71 INAN, *Evidence*, 3 February 2026, 1250 (Lisa Robinson, Chief, Wolf Lake First Nation).

72 *Ibid.*, 1230, 1250; INAN, *Brief*, Wolf Lake First Nation, p. 5.

73 INAN, *Brief*, Wolf Lake First Nation, p. 3.

74 INAN, *Brief*, Long Point First Nation, p. 11.

75 *Ibid.*, p. 8.



it is no secret that Wolf Lake First Nation experiences jurisdictional tag, with our traditional territory being located in both Quebec and Ontario, and the federal government's repeated indication that it cannot unilaterally create a reserve without provincial cooperation. Quebec points to Canada; Canada points back to Quebec.<sup>76</sup>

Wolf Lake First Nation also noted challenges working with federal departments, describing CIRNAC and ISC pointing at each other when it comes to reserve creation. As Chief Lisa Robinson explained, “[w]hen we talk about reserve creation, we know that we need to involve ISC, but some of the messaging I get is like ping-pong. Who do we talk to?”<sup>77</sup>

The committee did hear from a First Nation that successfully acquired reserve land in December 2025. La Nation Micmac de Gespeg Chief Céline Cassivi explained that for years, the community was unable to obtain reserve lands on the basis that “we belonged to the Listuguj community, which is the neighbouring community,” located four hours away from them.<sup>78</sup> However, the committee heard that in recent years, La Nation Micmac de Gespeg participated in an accelerated reserve creation process, including the submission of an official form and a structured workplan, ultimately leading to the creation of their reserve in December 2025.<sup>79</sup>

CIRNAC acknowledged concerns about the lengthy, unpredictable additions to reserve process.<sup>80</sup> The committee heard that urban reserve creation is more complex and takes more time than reserve creation in a rural area due to the need to address municipal services.<sup>81</sup> Federal officials acknowledged that addressing delays can be challenging in a process that involves multiple parties such as municipalities, private companies and other First Nations.<sup>82</sup> CIRNAC explained that:

Duty to consult takes time. You need to engage the [N]ations, and that can go well, but sometimes it doesn't go very well. With municipal service agreements, you need to have

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76 INAN, *Brief*, Wolf Lake First Nation, p. 4.

77 INAN, *Evidence*, 3 February 2026, 1240 (Lisa Robinson, Chief, Wolf Lake First Nation).

78 INAN, *Evidence*, 3 February 2026, 1240 (Céline Cassivi, Chief, La Nation Micmac de Gespeg).

79 *Ibid.*, 1210.

80 INAN, *Evidence*, 3 February 2026, 1105 (Darlene Bess, Assistant Deputy Minister, Resolution and Partnerships, Department of Crown-Indigenous Relations and Northern Affairs).

81 INAN, *Evidence*, 3 February 2026, 1130 (Laura Mitchell, Director General, Lands and Environmental Management, Department of Indigenous Services).

82 *Ibid.*, 1115.

municipalities willing to provide the services on the reserve that's been created. That is a negotiation process. Third party interest ends up being quite a hurdle.<sup>83</sup>

ISC also noted that provincial policies can make additions to reserve more complex. Laura Mitchell, Director General, Lands and Environmental Management, Department of Indigenous Services, cited the 1982 *Politique sur les ajouts de réserve du Québec*, which she explained “requires that the community have 200 members living together, that the ATR [addition to reserve] be only for the creation of housing, and that the land be aligned with the population.”<sup>84</sup> While the policy is still in place, Laura Mitchell was unsure how strictly it is enforced.<sup>85</sup> Long Point First Nation Chief Steeve Mathias also noted that this policy prevents the creation of reserves using public land in Quebec for the purpose of economic development.<sup>86</sup>

Witnesses recommended ways to accelerate the additions to reserve process. La Nation Micmac de Gespeg Chief Céline Cassivi recommended that the federal government continue to support reserve creation processes with programs to ensure that First Nations without a reserve can equitably access available funding and resources.<sup>87</sup> The AFNQL recommended that the federal government create “dedicated timelines, transparent reporting mechanisms, and a mandate to resolve these ongoing situations without further delay.”<sup>88</sup> The AFNQL also noted that initiatives should be developed with First Nations themselves, “ensuring that outcomes reflect local priorities and self-determined development.”<sup>89</sup>

The committee heard that ISC and CIRNAC are undertaking work to accelerate the additions to reserve process in partnership with First Nations. Federal officials cited several examples, including work with the Federation of Canadian Municipalities and First Nations organizations on urban reserve creation, establishing working tables with provinces and municipalities, learning from First Nations’ success stories, examining models to provide support to First Nations throughout the process, and using new

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83 INAN, *Evidence*, 3 February 2026, 1140 (Darlene Bess, Assistant Deputy Minister, Resolution and Partnerships, Department of Crown-Indigenous Relations and Northern Affairs).

84 INAN, *Evidence*, 3 February 2026, 1145 (Laura Mitchell, Director General, Lands and Environmental Management, Department of Indigenous Services); [Politique sur les ajouts de réserve du Québec](#), 1982.

85 INAN, *Evidence*, 3 February 2026, 1145 (Darlene Bess, Assistant Deputy Minister, Resolution and Partnerships, Department of Crown-Indigenous Relations and Northern Affairs).

86 INAN, *Evidence*, 3 February 2026, 1245 (Steeve Mathias, Chief, Long Point First Nation).

87 INAN, *Evidence*, 3 February 2026, 1210 (Céline Cassivi, Chief, La Nation Micmac de Gespeg).

88 INAN, *Brief*, Assembly of First Nations Quebec-Labrador, p. 3.

89 *Ibid.*, p. 3.



software to improve project management of additions to reserve.<sup>90</sup> Federal officials also indicated that they are examining additions to reserve proposals that have been outstanding for many years to try and identify the reasons for delay and to work with First Nations communities to resolve it.<sup>91</sup> Federal officials pointed to 2021 funding dedicated to expediting additions to reserve that was used to support regional staff to work directly with First Nations to advance projects.<sup>92</sup> ISC also noted that funding was set aside for First Nations to undertake environmental site assessments and surveys required to turn land into a reserve.<sup>93</sup>

The committee's 2024 report recommended that CIRNAC work with First Nations and others as part of engagements on the Additions to Reserve Policy to identify barriers throughout the process that may delay additions to reserve; align the Additions to Reserve policy and process with the *United Nations Declaration on the Rights of Indigenous Peoples* and enhance First Nations' capacity to develop proposals and participate in the process. As part of its current study on First Nations without reserve lands, the committee once again heard witness testimony about delays in the additions to reserve process. The committee recognizes that its 2024 recommendations were not specific to First Nations without reserve lands. However, based on the testimony, the committee believes that the delays in the process for First Nations without reserve lands warrant specific recommendations to address an issue that has been outstanding for generations. For these reasons, the committee recommends:

### Recommendation 3

**That Indigenous Services Canada and Crown-Indigenous Relations and Northern Affairs Canada undertake a review of all additions to reserve proposals from federally recognized First Nations without reserve lands, list known barriers for each affected First Nation, and report back to the committee on the results of this analysis by 30 September 2026.**

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90 INAN, *Evidence*, 3 February 2026, 1115, 1140, 1150 (Laura Mitchell, Director General, Lands and Environmental Management, Department of Indigenous Services); INAN, *Evidence*, 3 February 2026, 1130, 1155 (Darlene Bess, Assistant Deputy Minister, Resolution and Partnerships, Department of Crown-Indigenous Relations and Northern Affairs).

91 INAN, *Evidence*, 3 February 2026, 1130 (Darlene Bess, Assistant Deputy Minister, Resolution and Partnerships, Department of Crown-Indigenous Relations and Northern Affairs).

92 INAN, *Evidence*, 3 February 2026, 1130 (Laura Mitchell, Director General, Lands and Environmental Management, Department of Indigenous Services).

93 Ibid.

#### **Recommendation 4**

**That Indigenous Services Canada and Crown-Indigenous Relations and Northern Affairs Canada work with federally recognized First Nations without reserve lands to create an action plan on a dedicated and expedited reserve creation process specifically for First Nations without any reserve lands, which includes targeted funding for meaningful participation, dedicated funding to support land acquisition, land management and the administrative procedures necessary to obtain reserve status, clear timelines, measurable results, and First Nations-led capacity support at every step in the process to ensure that outcomes reflect local priorities and self-determined development; and that the departments report annually on the implementation of the plan and the status of inequities facing First Nations without reserve status to the Standing Committee on Indigenous and Northern Affairs in 2027 and 2028.**

#### **Recommendation 5**

**That Indigenous Services Canada and Crown-Indigenous Relations and Northern Affairs Canada develop a detailed, publicly accessible guide outlining the specific responsibilities of all parties involved at every step of the additions to reserve process.**

#### **Recommendation 6**

**That Crown-Indigenous Relations and Northern Affairs Canada immediately enter into negotiations with the provinces and territories regarding federally recognized First Nations communities without reserve status, including but not limited to, Wolf Lake First Nation and Long Point First Nation, in order to enable them to obtain reserve status if they wish.**

#### **Recommendation 7**

**That Indigenous Services Canada and Crown-Indigenous Relations and Northern Affairs Canada submit to the Standing Committee on Indigenous and Northern Affairs detailed information on all federal processes, programs and criteria available to communities seeking reserve status, including eligibility requirements, available funding, deadlines and any obstacles they may encounter; and that this information be updated annually in 2026, 2027 and 2028.**

#### **Recommendation 8**

**That the federal government revise and adjust its policies and processes for granting reserve status to ensure that they align with Canada's commitments under the *United***



***Nations Declaration on the Rights of Indigenous Peoples, particularly with respect to the right to land, territory and self-determination for communities without reserve lands.***

## **Information to Support First Nations Without Reserve Lands**

During its study, the committee heard from two federally recognized First Nations currently without reserve lands. Federal officials told the committee that there are three federally recognized First Nations without any land, along with other federally recognized First Nations that have some land that is not considered reserve land.<sup>94</sup> Anishinabek Nation Grand Council Chief Linda Debassige explained that “[h]istorical and ongoing research points to fewer than 30 landless First Nations, but only Indigenous Services Canada holds comprehensive data. That lack of clarity reinforces the challenges and invisibility these [N]ations experience...ISC needs to admit its mistakes and allow access to the comprehensive data.”<sup>95</sup> La Nation Micmac de Gespeg, a First Nation that recently obtained reserve lands through federal processes, hoped that their story could be used to support other communities in similar situations.<sup>96</sup>

The committee believes that access to information about First Nations without reserve lands could benefit other communities in the same situation by potentially enabling communities to share experiences and support each other through federal processes. For this reason, the committee recommends:

### **Recommendation 9**

**That Indigenous Services Canada with the consent of the relevant First Nations, publish and maintain on its website an up-to-date list of federally recognized First Nations without reserve lands, including the designation of their land base if applicable, and regularly update this information as changes occur and upon receiving consent from the relevant First Nations.**

## **CONCLUSION**

The committee recognizes that the problems described in this report have remained unresolved for many years. For example, the AFNQL told the committee that the

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94 INAN, *Evidence*, 3 February 2026, 1120 (Ian Kenney, Director General, Governance Branch, Department of Indigenous Services).

95 INAN, *Evidence*, 3 February 2026, 1205 (Linda Debassige, Grand Council Chief, Anishinabek Nation, Assembly of First Nations).

96 INAN, *Brief*, La Nation Micmac de Gespeg, p. 2.

situation of First Nations without reserves “is not merely an administrative gap—it is an unresolved matter of justice and political will that affects identity, cultural continuity, and the ability to chart our own future.”<sup>97</sup> This report builds on the committee’s 2024 report to provide recommendations to address these crucial challenges. The committee hopes that its recommendations will help to resolve longstanding issues and ultimately contribute to improving federal processes to return land.

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97 INAN, [Brief](#), Assembly of First Nations Quebec-Labrador, p. 3.



## APPENDIX A: LIST OF WITNESSES

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The following table lists the witnesses who appeared before the committee at its meetings related to this report. Transcripts of all public meetings related to this report are available on the committee’s [webpage for this study](#).

Organizations and Individuals	Date	Meeting
<b>Assembly of First Nations</b> Linda Debassige, Grand Council Chief, Anishinabek Nation Helen Paavola, Chief, Namaygoosisagagun First Nation	2026/02/03	18
<b>Department of Crown-Indigenous Relations and Northern Affairs</b> Darlene Bess, Assistant Deputy Minister, Resolution and Partnerships Danielle White, Senior Assistant Deputy Minister, Treaties and Aboriginal Government	2026/02/03	18
<b>Department of Indigenous Services</b> Ian Kenney, Director General, Governance Branch Laura Mitchell, Director General, Lands and Environmental Management	2026/02/03	18
<b>La Nation Micmac de Gespeg</b> Céline Cassivi, Chief	2026/02/03	18
<b>Long Point First Nation</b> Steeve Mathias, Chief	2026/02/03	18
<b>Wolf Lake First Nation</b> Lisa Robinson, Chief	2026/02/03	18



## **APPENDIX B: LIST OF BRIEFS**

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The following is an alphabetical list of organizations and individuals who submitted briefs to the committee related to this report. For more information, please consult the committee's [webpage for this study](#).

**Assembly of First Nations Quebec-Labrador**

**La Nation Micmac de Gespeg**

**Long Point First Nation**

**Métis National Council**

**Métis Nation of Ontario**

**Mitchell Case**

**Otipemisiwak Métis Government**

**Wolf Lake First Nation**



## REQUEST FOR GOVERNMENT RESPONSE

Pursuant to Standing Order 109, the committee requests that the government table a comprehensive response to this report.

A copy of the relevant *Minutes of Proceedings* ([Meetings Nos. 18, 19 and 35](#)) is tabled.

Respectfully submitted,

Terry Sheehan  
Chair

