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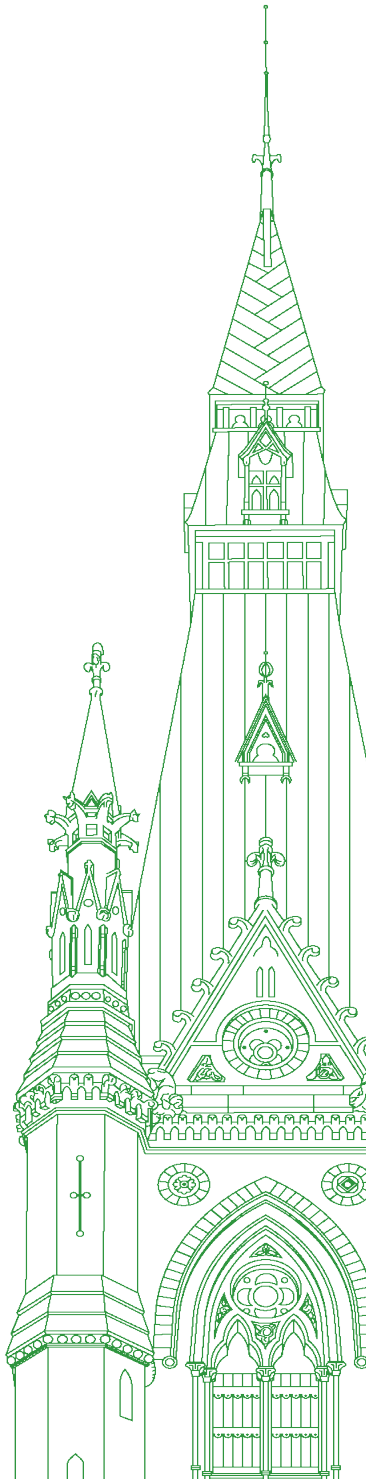
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Standing Committee on Indigenous and Northern Affairs

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● (0815)

[*English*]

The Chair (Terry Sheehan (Sault Ste. Marie—Algoma, Lib.)): Good morning.

Welcome to meeting number 43 of the House of Commons Standing Committee on Indigenous and Northern Affairs.

We're gathered here on the unceded territory of the Anishinabe Algonquin nation. Thank you for sharing your land with us today. *Chi-meegwetch*.

Pursuant to order of the House, the committee is commencing its study of Bill C-37, an act respecting water, source water, drinking water, waste water and related infrastructure on first nation lands.

Everyone is in person for today's meeting. Before I continue, I'd ask all the participants to consult the guidelines written on the cards on the table. These measures are in place to help prevent audio and feedback incidents and to protect the health and safety of our wonderful interpreters. I thank them very much. They always do a great job.

You'll also notice a QR code on the table, which links to a short awareness video. You may review it if you would like.

I'd like to make a few comments for the benefit of the witnesses and members. Before speaking, please wait until I recognize you by name. For those participating by.... I don't have to worry about that. No one is on Zoom.

I'd like to remind the witnesses that committee members may ask questions in either French or English. If you need interpretation, please take a moment now to prepare your earpiece and select the language of choice. Questions will be back and forth in English and French, so please be prepared to keep your earpiece in, if you need to. If not, place it away from the microphone because it can cause feedback. When you are done speaking, make sure the red light is off; otherwise, we get feedback.

This is a reminder that all comments should be addressed through the chair.

Now I would like to welcome our witnesses. We have the Honourable Mandy Gull-Masty, Minister of Indigenous Services.

Welcome, Minister.

From the Department of Indigenous Services, we have Michelle Kovacevic, deputy minister; Nelson Barbosa, director general, community infrastructure branch; Curtis Bergeron, director, strategic water management directorate; and Douglas Fairbairn, senior counsel, Department of Justice.

Thank you very much.

You will have five minutes, please, Minister. Commence when you are ready.

● (0820)

Hon. Mandy Gull-Masty (Minister of Indigenous Services): Thank you.

[*Member spoke in Cree*]

[*Translation*]

Good morning, everyone.

I am pleased to be here today to discuss Bill C-37, the first nations clean water act. I am proud to be here with you this morning. As first nations people, we know that water is sacred to us. It sustains our families, communities, cultures and ways of life. Protecting water is a responsibility we have toward one another. It means recognizing and understanding that we are directly affecting the lives of future generations.

That is why decisions about drinking water, waste water, source water and related infrastructure must reflect first nations' own laws, priorities and governance. Establishing strong first nations governance in these areas is essential to enabling communities to achieve true self-determination.

Bill C-37 responds directly to this objective and to what first nations have been telling governments for years. Communities must have the authority, tools and resources to protect and manage their own water systems.

[*English*]

Unlike the repealed 2013 Safe Drinking Water for First Nations Act, this legislation reflects six years of cumulative engagement with first nations rights holders and the representative organizations. It's grounded in a partnership and recognizes that solutions have to be not only developed but also driven and implemented by first nations. It is not one that can be imposed on them.

This bill will establish enforceable protections for safe drinking water, set national principles and minimum standards, and support first nations in developing and furthering their own water laws and regulations. It will also affirm first nations' inherent right to self-government, including jurisdiction over water on their lands. It will close the unacceptable gaps in safe drinking water protections and standards that exist today.

It also commits Canada to co-developing long-term funding frameworks that will support a first nations-led water commission and create a pathway for governments to do work to protect source water together.

The bill also commits Canada to making tangible progress towards realizing the human right to safe drinking water on first nation lands. This will be achieved through binding commitments to action, which include the following: establishing regulations and minimum standards for drinking water and waste water on first nation lands; creating a structured framework for assessing water service needs and making funding allocation decisions in consultation and collaboration with first nations; supporting first nations-led governance through a water commission that would be shaped by first nations; recognizing first nations' jurisdiction over water on their lands and providing jurisdiction in adjacent protection zones through agreements with other governments; and establishing a concrete commitment for the federal government to provide adequate, predictable and sustainable funding. These provisions are essential, because we know that water does not just live in a tap. It begins in rivers, lakes, wetlands and aquifers that communities have protected and used for generations of their families.

We know that lasting progress requires a sustained investment in trained operators, reliable infrastructure and resources to operate and maintain water systems over a significant amount of time. That's why this department has supported more than 1,700 water and waste-water projects in first nation communities. Recently we had the opportunity to announce $4.6 billion over five years, the single largest federal investment in first nation water and waste-water infrastructure. This is the funding that will sustain projects already under way as well as support hundreds of new projects in the years ahead.

Since 2015, first nations, with our support, have lifted 158 long-term water advisories and further prevented 345 short-term advisories from becoming long-term. These numbers represent real progress, with new and upgraded systems, expanded distribution networks, improved monitoring, trained operators, and sustained operations and maintenance support.

The investments that we work with communities to receive are making a difference, but we know that our work is not finished. We know that 39 long-term advisories remain in effect in 37 communities. Seventeen of these advisories already have infrastructure capable of producing clean drinking water, which underscores why operations, maintenance and qualified operators are just as important as new construction.

We must also acknowledge that the history of water in some communities is driven in a space where there is a lot of trauma around that. We must do the further work of helping our partners come into a space where they trust and take full control and ownership of the service provided to them, but also work with their members to live and be in this new reality.

As of October 21, the boil water advisory for Deer Lake First Nation's nursing station in Ontario is in place. We know that this is unacceptable. It's exactly why advancing a bill like this is so critical. We have to ensure that communities have the tools and resources needed so that they can advance solutions that are led by them.

Lifting an advisory is only one part of the solution in this space. Long-term success is what truly drives things forward for first nation communities. That means we have to provide sustainable funding, train operators, have strong governance and protect source water.

● (0825)

The Chair: Minister, could I get you to wrap up? You have about 30 seconds. There'll be a lot of exchange to get more out.

Hon. Mandy Gull-Masty: Sure.

The Chair: Thank you.

Hon. Mandy Gull-Masty: There are so many initiatives in place. We are proud of the work that we are doing.

[*Translation*]

We know there are many priorities in this matter. We are here to work with everyone to make the necessary decisions to move Bill C-37 forward.

I am grateful to have been invited here today and I am ready to answer your questions.

Thank you.

[*English*]

The Chair: Thank you very much, Minister.

We will proceed to the six-minute round. First off, we have the Conservatives.

MP Morin, you have six minutes, please.

Billy Morin (Edmonton Northwest, CPC): Thank you, Mr. Chair.

Good morning, Minister and all our witnesses.

Minister, Bill C-61, the predecessor of this bill, said:

> It is recognized and affirmed that it is a human right of every individual on First Nations land to have access to clean and safe drinking water in accordance with this Act.

You changed that to “progressive realization”.

Why did you change it from a “human right” to “progressive realization”?

Hon. Mandy Gull-Masty: Bill C-61 was undertaken with a lot of consultation and a lot of engagement, but it was also a bill that was designed six years ago, a context that is very different from today's situation. I want to also ensure that it's understood that the decisions I took for “progressive realization” reflect the very personal knowledge I have of how each community starts in a different place, has different needs, has different expectations and has different relationships with our government and provincial governments. The “progressive realization” language really points to that.

It's also an indicator that commitment by government is based on us undertaking not only the work that's outlined in this bill but also the work that's going to be further followed up through its implementation, through the long-term projects that we undertake and through supporting the community in that space.

I feel comfortable with this language. I think it reflects the reality of the situation we're in. I think it most importantly acknowledges where communities are starting and allows us to progressively realize the work they're doing. It is a fulsome definition. I think it captures something in the landscape that we see today that is very real, but it's also—

Billy Morin: Thank you, Minister, for the answer. I just want to make the most of my time.

The Chiefs Steering Committee from Alberta just two days ago.... These are the same chiefs who stood up against a referendum and really rallied to have Alberta stay in Canada. Those same chiefs from Treaty No. 6, Treaty No. 7 and Treaty No. 8 said, with regard to Bill C-37:

> We want to set the record straight: this process is failing First Nations....
>
> Nearly two years ago, the [Chiefs Steering Committee] and Canada signed Terms of Reference establishing a Treaty Bilateral Table on Water—a dedicated space for Chiefs and the Crown to sit down and work [together].... Despite that signed agreement, we are still waiting on an official meeting to take place this year.
>
> You cannot say you respect Treaty rights while ignoring the agreements you signed and pushing legislation forward.

What do you have to say to those chiefs who stood up against separation but are now saying that you're ramming through legislation and not respecting their treaty rights?

● (0830)

Hon. Mandy Gull-Masty: I appreciate the premise of the question, and I want to take this time to acknowledge the incredibly hard work of the chiefs in Alberta and everything they've gone through in the past couple of weeks. This is something in which a strong voice is needed. I respect the position that the chiefs are taking. I've had the opportunity to meet with this group. It's a bit of a technical table.

Billy Morin: Not with this year, though. Isn't that right?

Hon. Mandy Gull-Masty: I had that first meeting with them. I also had the opportunity to meet some of those chiefs one-on-one when I was visiting in Alberta.

However, I'll give the technical component of that meeting to my staff. I'll go to Nelson. Thank you.

Billy Morin: I'll pass on that and go to a new question. Thank you.

Furthermore, the Union of B.C. Indian Chiefs most recently said, “UBCIC firmly rejects Bill C-37 in its current form and calls on Canada not to advance the legislation without substantial amendments developed in consultation and cooperation with First Nations title and rights holders, directed towards obtaining [free, prior and informed consent].”

Do you agree with upholding free, prior and informed consent, yes or no?

Hon. Mandy Gull-Masty: I want to say that the important part of that conversation is that they're asking to do the work in a parliamentary process, and that's what we're here to do. I'm always going to be in a space of trying to ensure that I'm listening to the feedback I get from chiefs. I'm going to listen to what their intention is. Most importantly, I'm going to have conversations with them about the decisions that I took and what drives me.

Billy Morin: The question was this: Do you agree with free, prior and informed consent, yes or no?

Hon. Mandy Gull-Masty: I gave you a response that indicates I'm going to do everything I can to have an open conversation with them, to make sure they are aware of the decisions I'm making and to give them the reasoning—

Billy Morin: Give me yes or no.

Do you agree with free, prior and informed consent?

Hon. Mandy Gull-Masty: If that was a yes-or-no question, I would answer it yes or no, but clearly there's more context behind your question that needs to be addressed for the committee.

Billy Morin: The B.C. chiefs have firmly said that—despite your answer that you are here in the parliamentary process to talk to them—they do not feel they've been consulted at all on this new version of Bill C-37.

How do you respond to that? How do you not address their questions on whether—yes or no—you agree to free, prior and informed consent? Is it the position of the Liberal government to say those things but not actually mean them or bring meaningful action?

Hon. Mandy Gull-Masty: That may be your interpretation of what the Liberal government is doing, but your political expectation of how we operate and engage with the community is aside from the work that has previously been done.

There has been a lot of input from nations across the country. This is the information we reference. I have had the opportunity to meet with leaders across the country on the bill. I have had the opportunity to speak to elders about the bill. I have had the opportunity to speak to youth about the bill. I think all these—

Billy Morin: Do you have written free, prior and informed consent to pass this bill?

Hon. Mandy Gull-Masty: —components inform the process we're going to take.

Billy Morin: Do you have—

Hon. Mandy Gull-Masty: The parliamentary process is part of the decision-making and of how a law is passed. Most importantly, with the passing of this bill, you'll have the opportunity to co-develop and co-implement together.

As I said—

Billy Morin: Has my time expired?

That's my time.

The Chair: The time has expired. Thank you very much.

We're going to move to the next person.

[*Translation*]

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

Ginette Lavack (St. Boniface—St. Vital, Lib.): Thank you, Mr. Chair.

Minister, thank you for being here with us today and for your testimony on this long-awaited bill.

As you said in your opening remarks, a tremendous amount of work has been done in this area recently, particularly over the past year and a half. We know that, over the past 10 years, approximately $14 billion has been invested, about half of which was invested in the last year and a half.

We know that this bill or the reality of this situation requires more than just money. So could you explain in a little more detail, in concrete terms, how this bill will actually change things on the ground for first nations?

Hon. Mandy Gull-Masty: Thank you. I will answer part of the question in French, and then I will ask my colleague to continue in English, for the technical part.

We know that the first step in doing a good job is really to ensure that money will be available to help the nations carry out the necessary work. That's the first step. However, I would like the committee to understand that this first step is always something that will determine all the technical aspects in this area. We are the government that made the decision to undertake this work and to continue doing so even when we were unable to respect the established timeline. We are the only ones who began this work. We are the only ones who have continued to do this work.

● (0835)

[*English*]

I will now ask for some technical support on the technical component of the steps that follow when funding is provided.

Nelson Barbosa (Director General, Community Infrastructure Branch, Department of Indigenous Services): Thank you for the question.

The bill makes considerable reference to both funding and funding co-development. It begins with engaging first nations on a series of assessments of 12 core components of funding requirements, including capital operations, maintenance and the actual costs. This is meant to be done in co-development also, to outline the funding framework that is entrenched in this bill.

There are core commitments established in terms of timelines, including beginning this work within the first year and the minister reporting on the progress of this co-development and consultation. It is one of the bedrocks of the bill, as is the regulatory gap the minister referenced. The commitments don't end there. There are a series of consultations and co-operations that touch on standards, regulations, funding, the standing up of a commission and the enabling of source water protection agreements.

[*Translation*]

Ginette Lavack: Thank you.

I would now like to turn my attention to water standards because this is certainly an important issue. It's a truly essential component of this bill.

Regarding legally binding standards for the quality and quantity of drinking water in first nations communities, could you tell us more about the current situation? How does Bill C-37 aim to change that?

Hon. Mandy Gull-Masty: Thank you. I will answer in French, but I also want the committee to get the answer in English.

It's important to know that, in the communities, for a very long time—too long, I would say—there were no standards or regulations regarding water. The board managed that file using the tools it had available. Now we are at a stage in this process where there is clarity, funding, tools prepared, legislation to support enforcement officials not only in establishing minimum standards, but also to work with first nations, so that they can determine their standards to complement what is in place.

I'll ask my colleague to respond as well.

[*English*]

Nelson Barbosa: As the minister noted, the only regulatory and standards gap for water currently in this country is on reserve. One of the paramount objectives of this bill is to sew up that gap.

Standards are really about water safety, and regulations are about how water works and how water is protected by operators. As the minister noted earlier, approximately 50% of the current long-term drinking water advisories are due to operator capacity and the lack of regulations and standards in order to not only protect the workers but also create a safe environment. There are direct corollaries between standards, regulations and water safety.

There's a direct need, and we've heard it for over a decade from first nations, including in the 2021 settlement agreement with over 200 first nations, to sew up that regulatory gap. This is really the bedrock of this piece of legislation.

Thank you.

[*Translation*]

Ginette Lavack: I have only 30 seconds left. You said earlier that this funding is also intended for operators, operations and training. To what extent is it really an integral part of this bill and the related funding?

Hon. Mandy Gull-Masty: As my colleague said, 50% of long-term drinking water advisories are really due to a lack of skilled labour to provide the service to the community. That's why it's important to understand that Bill C-37 doesn't just consider water supply infrastructure. It also considers all aspects of the community to ensure the service quality and water quality are thoroughly examined. There is also a training component.

● (0840)

The Chair: Thank you.

[*English*]

We're going to have to keep it tight for time. Anything further, obviously, can be written and sent in to our analysts—they're taking great notes—and our clerk, who will put the report together.

Thank you.

[*Translation*]

Mrs. Gill, you have the floor for six minutes.

Marilène Gill (Côte-Nord—Kawawachikamach—Nitassinan, BQ): Thank you very much, Mr. Chair.

I would like to remind everyone that everything is interpreted. I know the minister was concerned earlier about her answer not being in both languages, but we are receiving it simultaneously in both.

Thank you very much for being here, Minister.

I know we have similar questions because first nations have concerns. Of course, Quebec is less affected. The chief of the Assembly of First Nations Quebec-Labrador, the AFNQL, Francis Verreault-Paul, says so himself. In fact, I will paraphrase one of his remarks on Bill C-37 where he said it had been weakened in many ways compared to former Bill C-61. For him, consultations should have been co-developed and held. That's really the word he uses: co-development.

What would you say to Mr. Verreault-Paul regarding his concerns about the co-development aspect the chiefs are calling for?

Hon. Mandy Gull-Masty: Thank you for the question, madam. I appreciate it.

From what I've seen, the fundamental work done under the former Bill C-61 was really based on a lot of consultations. That's something I've been briefed on. Also, the act that will be adopted is essentially the same act. It's based on the same processes and the same formations I received.

However, the implementation of the act will be done in co-development and carried out in co-operation with the nations. I understand Mr. Verreault-Paul was not the regional chief of the AFNQL at the time this work was done, but this work has been documented and it is referenced. We also want to make sure that during implementation, most of the process is determined and carried out by the community, and that the legislation will move things forward in a way—

Marilène Gill: I'm going to have to interrupt you to ask more questions. I understand the concerns.

Mr. Verreault-Paul was working at the AFNQL at the time. He had been Chief Ghislain Picard's right-hand man for a number of years.

There are concerns about weakening the act. I understand about implementing the act, but at the same time, it has been weakened. I understand those concerns.

I will give you two examples of things that worry me just as much. The government's actions are inconsistent. I would point out the Kebaowek situation, for example. The bill's very interesting summary shows that first nations have the right to clean drinking water for every reason, cultural or otherwise. The fact is their rights are being threatened. For example, I would have a hard time with the Kebaowek issue. We're talking about protecting first nations' right to water.

How do you rationalize that the government's inconsistent actions when it comes to water protection won't raise concerns among first nations?

Hon. Mandy Gull-Masty: I'm aware that Mr. Verreault-Paul was there, as he was working with Chief Picard. I was also at that table, since I was a grand chief at the time, as you know.

I use these conversations to guide me. I'm looking at this through a really pragmatic lens. I know that access to water for communities is vital. That's what guides me.

Marilène Gill: Is that answer related to Kebaowek?

Hon. Mandy Gull-Masty: I'm in the middle of answering.

Marilène Gill: I'm afraid I won't have enough time for an answer. You can submit it in writing.

Hon. Mandy Gull-Masty: Regarding my decision regarding the enforcement process, everything in the act is based on co-development. The regulations will reflect the community's positions, program implementation will be done by the nations. They will determine all the processes put in place.

The act has been shaped by a lot of information, but you also have to understand that the application of this process is done collaboratively.

● (0845)

Marilène Gill: That's what you're telling them: “you have to understand”, as if we were talking to Chief Verreault-Paul.

Hon. Mandy Gull-Masty: That's not the way I talk to my colleagues.

Marilène Gill: However, that's what you told me.

Hon. Mandy Gull-Masty: No. I said you have to do it.

Marilène Gill: Are you talking about me?

Hon. Mandy Gull-Masty: Yes.

Marilène Gill: I was asking the question for Mr. Verreault-Paul. If he needs to understand the same thing, that it's going to be co-developed—

Hon. Mandy Gull-Masty: That's not how I speak to Mr. Verreault-Paul.

Marilène Gill: You're saying you don't talk to everyone the same way. Is it about respect?

Hon. Mandy Gull-Masty: I'm answering your question with respect, with the information I have.

My conversations with Mr. Verreault-Paul are what they are.

Marilène Gill: Yes.

Hon. Mandy Gull-Masty: I don't appreciate you saying I'm not being clear with him.

Marilène Gill: No, that's not what I'm saying.

Hon. Mandy Gull-Masty: As I said, I'm pragmatic. I'm here to give—

The Chair: Thank you.

Marilène Gill: Mr. Chair, that's not what I said. I find it cavalier to be told that I'm not being answered as others are.

Hon. Mandy Gull-Masty: That's the way I talk to him.

Marilène Gill: Got it.

I'll come back to that, Mr. Chair, because I didn't get an answer to my questions.

Thank you.

The Chair: Thank you.

[*English*]

That brings us to the end of that question.

We will now go into our next round.

MP Schmale, you have five minutes, please.

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

Thank you, Minister, for being here today.

Minister, you may or may not know that Statistics Canada's community well-being index, which gauges the socio-economic health of Canadian communities, suggests that spending by the indigenous departments, both of yours, has gone up substantially but, unfortunately, has led to little or no improvement for indigenous communities. Where any improvement was made, the study suggests that was due to the child benefit that is given to everyone. Other than that, the spending increases, which have almost tripled spending in both departments combined, show little to no improvement.

When I look at your departmental plan, I see the percentage of first nations adults living on reserve who reported being in excellent or very good health. Since 2022, that number has been set at 37.8%, and it stayed that way all the way to this year's target of 44%.

Given the fact that there have been no actual results according to your departmental plan, and it has not moved in four years, what specifically are you doing to ensure that those living on reserve are getting better health care?

Hon. Mandy Gull-Masty: Thank you for the question.

One of the challenges in this department is that our government inherited it after a very long period of time when underfunding was so severe that it was extremely detrimental to the first nations, so the investments—

Jamie Schmale: After 11 years, the Auditor General has said—

Hon. Mandy Gull-Masty: I'm answering your question.

The investments that—

The Chair: Excuse me. I'm going to intervene for a second.

This is about Bill C-37. I don't want us to go...on both sides.

Jamie Schmale: Health is related to Bill C-37. Clean water is related to good health.

The Chair: Phrase it in—

Jamie Schmale: We have a report saying there's no—

The Chair: The question was about health.

Jamie Schmale: —improvement, so my link—

The Chair: Hold on. I'm making a determination. Keep it to Bill C-37 and phrase it in a way that would do that.

Thank you.

Jamie Schmale: First of all, I'm allowed to ask the question. Nobody on that side has objected. You have made a ruling. It came out of nowhere. Health is related to water—

The Chair: That's fair. Listen, MP Schmale. We also started talking about...

Both the minister and you were talking about things that weren't relevant to Bill C-37. This is an important study. I would like us to keep this on track.

Jamie Schmale: Okay.

I would also say that if the department has failed to improve.... I know we're buying some time for the minister to look at her notes. If the department has not made any progress on its goals to increase better health overall in communities, how the heck is this water legislation, which we feel has some problems, going to fix that?

I need to start and then get there, but I need the ability to do that. It's my time, unfortunately.

The Chair: Phrase the question.

Jamie Schmale: I just did.

The Chair: Are you asking through me?

Jamie Schmale: I'll ask it again.

The Chair: I don't want to phrase your question for you.

Hon. Mandy Gull-Masty: Mr. Chair, if I may interject, I agree with one part of my colleague's question, which is that water is part of a public health care system. Water is a determinant of that. I'll help him make the link to the law.

We have to understand that health and everything you're doing in this space for water infrastructure is not just about achieving something. The target is improving the quality of life and the target is helping communities achieve the statistics they have determined for themselves in the work they're doing.

I think, for a very long time, there have been so many barriers put in place for them to do that. There's been significant underfunding. If we want to look at the funding of water, a 10-year funding commitment of $3 billion by the former Harper government was actually met with three times the amount of funding. It was funding that was very large but necessary to correct the amount of underfunding that was put in place.

In terms of what the department plan speaks to, I can turn to my colleague and ask him to give you details on the commitments that communities are working toward.

I want to say, MP Schmale, we have to be respectful. We've seen that communities have increased their graduation rates. There are fewer children in care. These are all comprehensive things that we are putting in place and working with communities for them to do. Your political expectation of how these targets should be achieved is not reflective of how the communities want—

● (0850)

Jamie Schmale: Thank you. I was more than fair.

The Chair: I think we're back on track on Bill C-37 and health. It is about health and water. Please continue.

I'm going to give you a little more time as we had to clarify the question and exchanges, but please keep it on track.

Jamie Schmale: Again, if the department.... You say it's being politicized, but I'm looking right here at your departmental plan and your results. There is 37.8% of first nations adults living on reserve who report being in excellent or very good health. Those are the actual results from your plan from 2022 to 2025. Nothing has moved. Spending has gone up. Auditor General report after Auditor General report has said spending has increased but outcomes have not gone up with the spending.

Your target now is 44%. What are you doing to hit that number when it has not moved in four years?

Hon. Mandy Gull-Masty: I actually didn't say it was being politicized. I said your political expectation of the success in this space is not what drives communities' decision-making or responses.

If you would like the technical department answer, I'll turn to my colleagues and—

Jamie Schmale: I would like you to finish it up.

Hon. Mandy Gull-Masty: —they can give you more information.

It's okay if you want mine, but you're asking for a department result. I think the department does—

Jamie Schmale: You're in charge of the department. It's your department.

No, I'm asking the minister. With all due respect, it's her department.

I want....

Hon. Mandy Gull-Masty: I don't work in the department. I'm actually the minister. If you want a department answer on a department report with department results—

Jamie Schmale: Yes, you signed off on that plan.

Hon. Mandy Gull-Masty: —and you want to ensure that the progress of the department is clearly identified for you—

Jamie Schmale: You signed off on this plan. Is the department actually running the department and the minister has no say?

Hon. Mandy Gull-Masty: —I will turn to the department to answer the question that you are asking. If you do not wish to have that information, I cannot answer that question.

Jamie Schmale: Is that what I'm hearing, Minister? Is the department—

The Chair: All right. We're out of time.

Jamie Schmale: Did the clock stop, Mr. Chair? I'm at 5:10 on Billy's here. Did the clock stop when we were having our back and forth?

The Chair: Yes. He's keeping time. This is our wonderful clerk. He gave me the signal, so we're out of time. We have to move on.

Next we have Lori, please.

You have five minutes.

Lori Idlout (Nunavut, Lib.): *Qujannamiik* for appearing on this important bill. I think one concern we're going to hear throughout this bill is the “progressive realization”. Could you share with us the other places where we have heard this kind of language?

I think one thing we need to understand is that this bill is not the only place where it has happened. Can you share that with us, please?

Hon. Mandy Gull-Masty: Thank you for that question, MP Idlout.

I'm going to ask my colleague to respond because he has the technical information about where we've undertaken this work in other spaces.

Nelson Barbosa: Thank you for the question.

“Progressive realization” is found both in international law in the UN and in Canadian statutes and Canadian law today. It's found in the National Housing Strategy Act, and it's also found in the Canada Early Learning and Child Care Act.

I would also underscore that realizing progressive realization is really what the core tenets of this bill are. That means realizing this right through minimum standards, through regulations, through funding and through standing up a first nations water commission.

It's also committing to timelines. It's not progressively realizing indefinitely. There are timelines associated with this bill. Not only is this phrase found in international law and Canadian statute, but the bill speaks to how it will be realized and the timelines associated with it.

● (0855)

Lori Idlout: Could you elaborate further on where we see it in international law?

Nelson Barbosa: Thank you for the question.

It's found in the UN international covenant on economic and social development rights. It's a statute that was passed by the United Nations in the late seventies, and it was adopted by Canada some time ago.

Lori Idlout: Thank you so much.

Minister, I wonder whether you could share with us any further information that you.... I think you hadn't finished some of your speech. Do you want to share any of the key messages that you might have concluded with?

Hon. Mandy Gull-Masty: Thank you.

I really want to be very forthright with the committee: We have to look at this bill through a lens of understanding that lifting boil water advisories is not the final measure of success. That's not it: That's the starting point of success. That starting point means we are obliged to continue working to support in that space.

We're also doing the work of creating an ecosystem that is more safe, reliable and adequately funded, and that projects that are governed by first nations are respect their jurisdiction. We're also enhancing and building the capacity for them to do that work with other levels of government.

This, to me, is a huge undertaking. It's one I fully support. I want first nations communities out there to know this: We are in a space in which we are doing everything to give you the necessary tools not only to work on lifting a boil water advisory. We're investing in your community to build capacity and to be sure that the maintenance and operation of that facility is going to be in place for continuity.

We're responding to the ecosystem that's in place. It's not just about lifting boil water advisories. There's so much more you have to do in community.

Lori Idlout: Could you also share this with us? You said you've met with first nations chiefs who support this bill. Could you share any summary of any of those engagements supporting this bill?

Hon. Mandy Gull-Masty: Thank you.

We've met with a number of communities that have benefited from the work we're doing, and a lot of them have been very appreciative.

I will ask my department colleagues if they wish to supplement in this space. I've spoken and had engagements across the country. I've had the opportunity to visit in community. I've had people come to meet me here in Ottawa. However, I really want to speak to the technical success there has been in this file.

The Chair: You have about 30 seconds, so be short and then...in writing, please.

Nelson Barbosa: Thank you for the question.

As the minister mentioned, this bill is built on six years of engagement. This bill was publicly released for the first time to all Canadians, but predominantly to first nations to provide comment on.

There's also been significant conversation—

Bob Zimmer (Prince George—Peace River—Northern Rockies, CPC): I have a point of order, Mr. Chair.

The member is asking for a specific name, and I don't think we've heard one yet.

Lori Idlout: I didn't ask for a specific name.

The Chair: That would be up to her to determine. We'll see what happens.

We're running out of time. We have 10 seconds.

Hon. Mandy Gull-Masty: Actually, I can name NAN. Northern Ontario chiefs have been fully supportive of the bill and have indicated that they are looking for its passing, because a number of those boil advisories are in their territory.

The Chair: *Chi-meegwetch.* Thank you.

Next, we'll go to MP Gill for two and a half minutes, please.

[*Translation*]

Marilène Gill: Thank you very much, Mr. Chair.

Minister, perhaps we misunderstood each other earlier. I understood that I wasn't receiving the same answer as someone else would have received, so I didn't understand. I most likely misunderstood. That's the first thing.

The second thing is that as indigenous affairs critic, or spokesperson, I always have to be as humble as I can be, which is what I try to do. The term “spokesperson” makes a lot of sense in this situation, because I'm talking about the first nations themselves. Also, Chief Verreault-Paul's asked about co-development. That was the chiefs' criticism. I wasn't substituting for him; I just wanted to pass on to the committee what the chiefs were asking for.

That said, I also wanted to juxtapose the Kebaowek issue. I'm going to ask you a question to which you can answer yes or no: Does the situation in Chalk River jeopardize the right to drinking water? The United Nations recognized access to water as a human right, but there's nothing in the new version of the bill on that. Is that not a bit inconsistent with the intent of the bill?

● (0900)

Hon. Mandy Gull-Masty: Thank you, Mrs. Gill.

I apologize. I want to be really respectful in answering your questions, but I also want to be clear. Regardless of who I talk to, whether it's as a leader, a colleague or someone in Parliament, my role is to provide information, and I want the message to be clear.

To answer your question about Kebaowek, I spoke with Chief Haymond about a number of issues, including water. This topic is a bit more technical, so I would like to ask the department representatives to provide information on everything that is happening in the context of the challenge the Kebaowek file poses.

Marilène Gill: I wasn't trying to get information, I was asking whether it was consistent. I don't think it's up to Mr. Fairbairn, who seemed ready to answer, to tell me whether it's consistent.

Hon. Mandy Gull-Masty: Here's what's consistent: We need to make sure you understand the parameters of the question, which is really technical in the case of Kebaowek.

Marilène Gill: I think if it goes to court, there must be reasons.

Hon. Mandy Gull-Masty: Do you want the answer, Mrs. Gill?

Marilène Gill: Actually, I asked you to answer my question with a yes or no. Is that consistent or not? You can refuse to answer, say yes or say no.

Hon. Mandy Gull-Masty: I'm not here to refuse to answer, but rather to give you the context of the question.

Marilène Gill: I'm waiting for your answer, and I don't need any context.

Hon. Mandy Gull-Masty: It's not a yes-or-no question.

Marilène Gill: I'm asking for a yes-or-no answer.

The Chair: Excuse me, Mrs. Gill, please ask your questions through the chair.

Marilène Gill: I apologize Mr. Chair, but I'm just asking for a yes-or-no answer, or no answer at all. That's all I'm asking for. I don't need technical considerations. I want a yes-or-no answer, or no answer at all. That's what I'm asking.

[*English*]

The Chair: We're out of time.

[*Translation*]

Marilène Gill: The minister can send a written answer, Mr. Chair.

[*English*]

The Chair: The clerk has said we're out of time.

[*Translation*]

Marilène Gill: She can answer in writing, Mr. Chair.

The Chair: Thank you, Mrs. Gill.

[*English*]

Next, for the Conservatives, we'll go back to MP Morin, please.

You will have five minutes.

Billy Morin: Thank you, Chair.

You just said NAN supports this bill. Is it a full endorsement? Do you have that in writing?

Hon. Mandy Gull-Masty: Do you wish to have a copy of the resolution?

Billy Morin: Yes.

Hon. Mandy Gull-Masty: That can be provided in writing.

Billy Morin: How do you respond to Chief Fiddler, who's the head of NAN, saying that he's “somewhat relieved”? Is that a full endorsement?

Hon. Mandy Gull-Masty: I would think that Chief Fiddler is relieved to hear that funding will be allocated for the number of boil water advisories that are in his nation and also in his own community. The fact that a BCR was passed.... You know as a former leader that it is the highest level of endorsement that you could possibly give in that space. The leadership who supported that resolution are eagerly waiting for this process to be completed, so they can commence their work.

I'm sure you are also aware that this is one of the areas in the country that has the most significant number of boil water advisories. These boil water advisories in place are extremely complex and technical, and are driven by many different sources and reasons. We have to—

Billy Morin: Thank you, Minister. I just want to make the most of my time.

Hon. Mandy Gull-Masty: You're welcome.

Billy Morin: I thank you for the answer, and I do look forward to the submission.

For Neskantaga, which is in that territory, it's been 31 years. Can you give a date for when they're going to have no boil water advisory after 31 years? Your ministry is primarily responsible. Can you give a date? Give me yes or no.

Hon. Mandy Gull-Masty: MP Morin, I would never position myself to determine for the community when they would do that work. You and I both know as former leaders that it would never be welcomed by the community. We're here to work with them. We're here to co-develop with them. We're here to do that work. Ultimately, I'm sorry, but I have to disagree with the framing of the question.

We are not here to make decisions on when communities should have success. We're here to make decisions on how we best equip communities to undertake that work, how we best ensure that communities are satisfied with the work that's done and how we ensure that, well beyond the lifting of a boil water advisory, they have every tool necessary to continuously offer that service to their members.

I've had the opportunity to meet with Neskantaga and to look at their community comprehensively. I've looked at everything from water to the other issues that they're facing in their community. I'm supporting them in that space, and their leadership is there to make those decisions for their members.

● (0905)

Billy Morin: Thank you, Minister.

You also mentioned earlier that you did some level of engagement in going from Bill C-61 to, in this new Parliament, Bill C-37. You mentioned that you talked to first nations. I asked earlier about rolling back the human right to water.

Which first nation gave you the permission to roll back that definition of the human right? Was there a first nation?

Hon. Mandy Gull-Masty: It would really be a disservice to that question to answer it in a way that you would think there would be somebody who would make that single action drive an outcome. I'm not there to respond to such a silly question. I'm sorry. I think it would be absurd to ask if one single nation would make a decision for the entirety of all nations across Canada.

I'm there to work in partnership with all communities, all nations. They, each and every one, have their own reasons, but the primary factor that I heard from communities when we talked about the water bill was that they needed the funding to complete the projects, especially those communities that are 20+ years with long-term boil water advisories. They are waiting for the funding, and this law is something that's going to unlock that for them. They want us to invest in their communities—

Billy Morin: How much money's going to Neskantaga to end 31 years? How much?

Hon. Mandy Gull-Masty: It will be for us to sit down with them to co-develop the regulation that they're going to put in place—

Billy Morin: How many more years of consultation will there be to get that done?

Hon. Mandy Gull-Masty: There's no consultation. Co-development means that you're actually doing the work with them.

Billy Morin: How many years of co-development...?

Hon. Mandy Gull-Masty: We are going to co-develop with them based on the timeline that they choose to have in place. We are also going to co-develop the funding framework with them—

Billy Morin: You said you sat down with them. Did they give a timeline?

Hon. Mandy Gull-Masty: It's driven by the community, Mr. Morin. It is for them to determine. It is not for me to place a decision on them. We have to respect the jurisdiction and autonomy—

Billy Morin: I will fairly assume that they said they would not have wanted 31 years. They want it done yesterday. They didn't want one year of no water.

Did they give you a timeline when you sat down with them on when they want their boiled water advisory lifted? Give me a yes or no.

When is that date?

Hon. Mandy Gull-Masty: It's not a yes-or-no question. The chief and council are going to determine for themselves what their work plan is, what the technical specifications are, how they're going to implement, how the investment will be used and what the funding framework is going to be for the $70-million investment that's going into the new water plant in their community.

I want you to understand that while we work with Neskantaga, we are consistently, every day, doing that work to advance their file. It's up to them to drive that. As a minister, I'm going to respect their authority and what they want to do for their nation, because it's my prerogative to co-work with them and to co-develop to give them the tools that they need to push their success forward.

The Chair: Thank you. That's all the time.

We'll go to Jaime for five minutes, please.

Jaime Battiste (Cape Breton—Canso—Antigonish, Lib.): Thank you, Mr. Chair.

I'd like to thank the minister for being here today.

I know that the minister took time from her summer this year to come out to my community. We met with the Atlantic First Nations Water Authority, which is one of the great examples of communities working together and having capacity to make sure that their water is up to standard.

I know that the minister did a lot of different tours, but I just wonder if she could tell us what she heard from the various water agencies across Canada on what their needs are. I know that we can get into the weeds at this committee but, at the end of the day, we're talking about first nations communities. We're talking about something as fundamental as clean drinking water standards and some of the things that the communities are facing and the challenges around this.

I'm wondering what you can tell us about some of the conversations you've had with some of these water agencies and how this legislation potentially has the impact of improving lives for first nations across Canada.

Hon. Mandy Gull-Masty: Thank you, MP Battiste.

I was extremely impressed by the work that I've seen undertaken by that very group and by their presence in the community. I was so impressed by the entirety of their staff and the certification that they're doing for their staff. They're building capacity with members of the community. They are driving the work. They are not only an incredible partner but also a model for other first nations across Canada.

They respond in a way that the community really understands work that is driven by their needs assessment, the incredible engineering that's done, the technical studies that they undertook, all of the environmental components and all of the logistics of how you deliver water to communities that are across different spaces and different water source types.

To me, what really impressed me was the amount of investment in time and support they put into developing certified water operators. That is the key to ensuring that this investment is protected. It's something I hope to see across the country. I'm here to support that. I'm here to really ensure that we take good models like that and transfer them or take what is best from those models and apply them in other communities.

There's a technical difference in how these projects are approached across the country. I would like for that information to be shared with the committee by my colleague here so that it's understood by everybody that it's not just a one-size-fits-all approach. We have to respond specifically to what communities need in that space.

Nelson...?

● (0910)

Nelson Barbosa: Thank you for the question.

There are over 1,500 water systems on reserve today. Some of those water systems support the direct distribution of water to every member, and some of them support specific pieces of infrastructure, as in Deer Lake with their health centre. I think often overshadowed is the tremendous success that first nations have in managing, operating and supporting the delivery of clean and safe drinking water, and I think that needs to be acknowledged here.

The minister spoke earlier about lifting over 150 drinking water advisories, another 350, and there are 38 to go. One drinking water advisory is too many, and we're working with first nations to make that a reality. What we're seeing is over $400 million of investment in operations for clean water this year. The success of first nations in continuing to manage and maintain their water systems is happening across this country.

Atlantic First Nations Water Authority is an excellent example of how communities can come together and manage their own affairs. They were able to resolve a drinking water issue within 48 hours. That's tremendous success, and it's not the success of this department. It's the success of the nations that chose this model, and we hope that model is replicated across the country.

Jaime Battiste: One of the things I remember them talking about at the Atlantic First Nations Water Authority is long-term planning and the ability to have consistent funding. Can you talk a little about what the government has committed towards ensuring that we're able to have long-term funding strategies in order to have stability within the communities? What is the commitment we've made that supports this legislation we're currently discussing in terms of the overall funding going forward?

The Chair: You have about 30 seconds, and then send the rest in writing, please.

Michelle Kovacevic (Deputy Minister, Department of Indigenous Services): Thank you for the question.

With respect to funding and ongoing permanency so that you're able to actually procure, design and implement new water systems so as not to have long-term water advisories, the government.... In 2015, it was around $500 million in annual funding for our water program on reserve. Right now, with the investments announced—the budget 2025 and the $4.6 billion the minister referenced earlier—by 2030, the annual amount is roughly $2.5 billion, almost five times the 2015 amount. Obviously, we would expect to see significant results in the quality of infrastructure and, obviously, potable water for first nations' residents.

The Chair: Thank you very much.

If you have anything further, again, send it in writing to the analysts.

This brings us to the end of our first round. I would like to say *chi-meegwetch*. Thank you very much to the committee. This is a very important study.

We're going to suspend briefly and get ready for the next panel. Thank you, and please proceed to vacate as quickly as you can because we want to keep on time. We have a lot more questions to ask.

● (0910)

_____(Pause)_____

● (0915)

The Chair: We're reconvening.

[*Translation*]

Marilène Gill: Mr. Chair, I have a point of order.

The Chair: Mrs. Gill, you have the floor.

Marilène Gill: As you can see, the notice of meeting we received states that the minister is to appear for two hours. Since I prepared my questions based on the minister appearing for two hours, I'm a bit caught off guard.

What do we do in this situation? All the members here are missing an hour of questions for the minister. I think the clerk should check the notice of meeting that was sent to us.

[*English*]

The Chair: I'll turn to the clerk.

The Clerk of the Committee (Graeme Truelove): I understood subsequently that it was a one-hour appearance, so I amended the notice.

The Chair: Did you send that out?

The Clerk: I amended it online, but I didn't re-email it.

Some hon. members: Oh, oh!

[*Translation*]

Marilène Gill: Mr. Chair, in that case, could we have an additional hour with the minister? Actually, it's not an extra hour given we were supposed to have two hours with her. I think she should appear for a second hour. That is what was agreed to according to the notice of meeting we received.

Thank you.

[*English*]

The Chair: What we'll do is take it under advisement and talk about it. Obviously, the clerk has admitted that he amended it online but didn't send the email. We'll make sure we chalk that up to that.

Obviously, as it was presented to me, it was one hour and then an hour. As in other legislation, that is the norm. It's usually the minister for an hour and then it's the technical afterwards, where people really delve into the very technical and detailed question-and-answer period. That's why we have our expertise. That is the norm.

I think that was just an honest mistake by the clerk, and he's admitted to it. I understand your point of order. Again, the precedent is to have the minister usually for an hour and then the technical people afterwards.

Is this the same point of order?

Jamie Schmale: Yes.

I'm going to have to agree with the Bloc on this one.

The Chair: It's always up to the will of the committee. I chair it. Obviously, we can have that discussion next time under committee business.

Jamie Schmale: We had set up our rotation thinking that the minister was going to be around for a second round. Marc and Bob wanted questions, and now they don't get them. The agenda told us that the minister was going to be here, and now they're stuck without asking questions. I also had a follow-up.

Mistakes do happen. I get that, but both sides prepared, because it sounds like the Bloc did too. We aren't receiving the minister for that second hour. I think we kind of need to have that back.

● (0920)

The Chair: Okay. Let's take that under advisement. Let's have a further discussion about that. I think we should get on with asking some more questions about Bill C-37.

Again, I'll give you the same answer I gave to Deputy Gill. A few of us have been around for a while. The norm of practice is usually to have the minister for an hour and then the technical folks, whom we have here right now.

The clerk has apologized for only putting it online. He did correct it online, but obviously it wasn't anyone on this side who went online and looked at it.

Marc Dalton (Pitt Meadows—Maple Ridge, CPC): Chair, I have a point of order.

The Chair: Go ahead.

Marc Dalton: Sometimes you'll have ministers for two hours or for up to four hours. It's not just one hour. That's the very minimum. I would say that two hours is quite reasonable, and she should have been here.

The Chair: Go ahead on the same point of order.

Jaime Battiste: It was a mistake. I think the clerk has acknowledged that he made a mistake on this. I'm sure we can check with the minister's schedule and see when she can be back. Hopefully, it can be in an afternoon sitting instead of a morning sitting. I think we'll maybe get a little bit better dialogue and more co-operative dialogue between us.

If the other side has questions, I'm sure we could get them in writing, and the minister would be delighted to speak to them and give lengthy answers.

Some hon. members: Oh, oh!

Jaime Battiste: We never really get enough time in the five minutes. If there are questions, we could for sure get them in writing and ensure that you guys have the answers to those in an adequate way.

The Chair: This is duly noted. I think there is a conversation about investigating this a little bit further. Obviously, that's why pencils have erasers. The clerk corrected it online, but did not send that subsequent notice out. Some people check online and some people don't. There we have it.

The Liberal side has answered the question about putting it to the minister to see if she has time in her schedule in the near future to come back or to answer in writing.

Without further ado, I went through the process of the committee meeting. The same three people are here and around the table, so I will not go through that, noting the time. Let us begin with the presentation from our technical side.

Do you have anything more to add? No, you're just here for the questions. Great.

We will begin with MP Morin from the Conservatives for six minutes.

Billy Morin: Thank you, Chair. That's interesting. We have so much time.

This bill is about water, but what often gets forgotten is waste water. The Cowichan first nation has been in the news. We understand that a dump—I'll use some rudimentary language here—on reserve lands is causing some contentious issues like seepage into source water, which is the river. The nation has a lands management agreement, but they excluded that specific area of the dump.

How would this legislation address the waste water and effluent coming from that dump and going into the source water, not just for the first nation but also for other non-indigenous settlements off Cowichan?

Nelson Barbosa: You're absolutely correct. The bill is not just about water. It's about waste water and establishing minimum standards and regulations for waste water itself.

In the reference you're making, Cowichan is likely an off-reserve example. There are provisions found in the latter part of the bill that talk about source water protection. The bill opens up pathways for partnerships among provinces, territories, the federal government and first nations to essentially align laws.

The underpinning element of this bill is the affirmation of law-making ability for first nations and their rights over water and waste water on, in and under their lands. One of the elements of the bill is to open up a new pathway for joint agreements in order to align laws to support water protection both on and off reserve.

● (0925)

Billy Morin: Does the bill just encourage the alignment of laws, or does it have a mechanism to force other levels of government to come to the table? Is there an enforcement mechanism there?

Nelson Barbosa: This bill respects the constitutional jurisdiction of provinces, territories and first nations, so it cannot compel partners to the table or enact in their space. On your question about enforcement, there are enforcement provisions throughout the bill, including joint enforcement of first nations laws off reserve, should they choose this together. To be abundantly clear, the legislation, as currently written, respects Canadian jurisdiction and the federation of Canada, including the jurisdiction of first nations, provinces and territories.

Billy Morin: Were senior department officials like you part of the consultation process for Bill C-37 in this Parliament?

Nelson Barbosa: Many of the discussions the minister outlined in terms of her dialogue with first nations and first nations' partners.... We had conversations, as well, with partners and first nations, but many of those conversations, as the minister alluded to, occurred at the political level.

Billy Morin: How will the bill prioritize nations? Neskantaga has 31 years of.... Again, I'm a little disappointed in the previous round of answers. I would put them at the top of the list, personally, but it's not my decision to make. I'm not the minister.

How does the bill address prioritization of who needs funding, who needs help the most and who gets worked with, from the federal government's perspective?

Nelson Barbosa: It's a great question.

It's important to underscore the $4.6 billion announced in this bill and the $2.3 billion announced six months earlier. Almost $7 billion is prioritized today. The paramount objectives and priorities of those monies are health and safety requirements. Aging systems, systems that need to be replaced and systems that are not supporting health and safety are prioritized for investment. That is occurring in real time.

What this bill provides, above and beyond that, is a regulatory and standards environment that lifts the bar for first nations and respects the inherent right and law-making ability of first nations to bring in place laws that meet their geographic and local context.

Billy Morin: Just for verification, it is six minutes. Is that right?

The Chair: You have a minute left.

Billy Morin: Thank you.

I'd like to raise a point of order on an outstanding item before my time is up, considering that things have evolved in the last hour.

The Chair: Go ahead.

Billy Morin: I would like to address the outstanding motion I gave notice of on June 11. I could read the motion. I would like to actually vote on that motion as well.

The Chair: Read it into the record. It was circulated in both official languages earlier, so go ahead.

Billy Morin: I move:

> That the committee conclude the study on Bill S-2, An Act to Amend the Indian Act, and proceed to clause by clause on the Bill no later than Tuesday, June 16, 2026, to expedite resolution regarding uncertainty in Nicholas v. Attorney General to end further delays and advance legislation that has been agreed to by 511 individual First Nations and is supported by thousands of Canadians calling for its passage.

[*Translation*]

Marilène Gill: I have a point of order, Mr. Chair.

The interpreter doesn't have the text of the motion in hand and it's being read very quickly. She is therefore unable to interpret. Could the member please speak more slowly or provide the text to the interpreters?

Thank you.

[*English*]

The Chair: We'll suspend for a moment.

● (0925)

_____(Pause)_____

● (0930)

The Chair: We'll reconvene.

Proceed from the top again, please. The interpreters now have the original notice of motion.

Billy Morin: Thank you, Chair.

I might as well take my time a bit more. Of course, this motion has been outstanding since June 11. I wish to have a formal vote on it.

Thank you for the clarification by Madame Gill.

I move:

> That the committee conclude the study on Bill S-2, An Act to Amend the Indian Act, and proceed to clause by clause on the Bill no later than Tuesday, June 16, 2026, to expedite resolution regarding uncertainty in Nicholas v. Attorney General to end further delays and advance legislation that has been agreed to by 511 individual First Nations and is supported by thousands of Canadians calling for its passage.

The Chair: We'll have a discussion.

Go ahead, Ms. Lavack.

Ginette Lavack: Thank you, Mr. Chair.

I wish to move that we adjourn the debate on this, because we have with us here today witnesses to testify on Bill C-37, which is an important piece of legislation that's in front of us. We have the opportunity.... This is the second time we've studied water legislation.

I move that we continue along with today's prescribed meeting, which is with the witnesses present here.

The Chair: We will vote on this motion to adjourn debate. That will take the order of precedence.

We are going to vote to adjourn the debate on this issue. Let us proceed to the vote.

Jamie Schmale: Can we have a recorded vote, please?

(Motion agreed to: yeas 6; nays 5)

The Chair: We're adjourning the debate, so now we'll go back to our questions.

We're out of time for you.

We'll go to Brendan. You have six minutes.

Brendan Hanley (Yukon, Lib.): I think it's Tanveer.

The Chair: As long as you're all sharing, that's good.

Tanveer, go ahead. You have six minutes.

Tanveer Shahnawaz (Beaches—East York, Lib.): Thank you, Mr. Chair.

To the panel, the first hour had a lot of core principles like co-development and boil water advisories being the first part of what should be long-term and sustainable. I wonder if you can shed light on what the role will be of the department, through this legislation, and what role you'll be playing—whether it be hand in hand and with a long-term or short-term focus—to meet the objectives of this bill.

● (0935)

Nelson Barbosa: Thank you for the question.

There are several elements in the bill that speak about the ongoing partnership between Canada and first nations. This includes and begins with bringing into place minimum standards and a regulatory regime. It continues with co-developing a funding framework, working with first nations on agreements and working with first nations on standing up the first-ever first nation-led water commission.

All of those things come with exacting timelines, and it is our obligation to work with first nations, as we have in the lead-up to this discussion today. Bill C-37, should it pass, sets a very high bar. It also entrenches in law the closing of significant gaps and puts forward significant obligations on both the minister and the department to work in partnership with first nations to make the law real.

Thank you.

Tanveer Shahnawaz: Thank you for that.

Could you speak more—this might be more technical—about the role the department will be playing when it comes to the training and certification of water operators with first nations?

Curtis Bergeron (Director, Strategic Water Management Directorate, Department of Indigenous Services): Thank you for the question.

The department currently supports a number of in-depth activities to support first nations in developing their capacity.

First, I'll speak to the circuit rider training program. It provides training, mentoring and technical support to first nations across Canada. I'll mention an organization named Water First, which provides internships directly in first nation communities. The First Nations Operator Certification Council is beginning to provide a first nation-specific operator certification system, certifying operators on reserve. I'll also mention Indspire, which provides bursaries for post-secondary students pursuing studies in water sciences.

Also, I'll go back to the announcement that was made in June around the $4.6 billion for water, which includes water operators and capacity building. Significant efforts are being put toward supporting communities in increasing their capacity to manage their operations.

Thank you.

Tanveer Shahnawaz: Thank you.

Are you able to highlight any significant milestones that have come about as a result of some of this ongoing work in the last year or so?

Curtis Bergeron: Yes, for sure.

Since April 2025, there have been 11 long-term drinking water advisories lifted. What that does is bring clean drinking water to about 1,400 homes and almost 100 buildings. Some of the funding was provided to the Louis Bull Tribe in Alberta, which celebrated the commissioning of their community's new water treatment plant.

I'll also mention Pikwàkanagàn in Ontario. I was able to go to the groundbreaking ceremony of the construction of that water treatment plant, and they celebrated the grand opening of it a few weeks ago. That's going to bring clean drinking water to over 200 homes.

Tanveer Shahnawaz: With that amazing example, could you speak to—maybe at a high level or not—what that looks like in terms of the long term, with water advisories being lifted as the first start of this process?

Curtis Bergeron: Yes.

Having a new water treatment plant for communities like Pikwàkanagàn is groundbreaking. There's an immense need in communities across Canada, but the $2.3 billion that was announced through budget 2025 and the $4.6 billion that was announced in—

Leah Gazan (Winnipeg Centre, NDP): I have a point of privilege, Chair.

The Chair: Go ahead.

This is MP Gazan.

Welcome to the committee. You were observing earlier.

Leah Gazan: Yes. Thank you.

The Chair: I'm going to let you exercise a parliamentary point of order.

Leah Gazan: I just wanted to share, because I was really disturbed by this. When the Conservative member put forward a motion, I understand that we wanted to adjourn debate, and that's certainly a right. I understand. However, there were Liberal members who laughed. We have members of the 2S in the House who have dealt with human rights violations dealing with ongoing racism and sexism in the Indian Act and—

● (0940)

The Chair: Ms. Gazan, the debate has been adjourned.

Leah Gazan: I would like them to apologize to the public.

The Chair: As part of process and procedure, the debate was adjourned by a vote. We can't open the debate back up.

Thank you very much.

Leah Gazan: I'm talking about a point of privilege in terms of decorum in the House by members of Parliament. They should not be laughing about the sexism and racism that the Liberal government refuses to take out of the Indian Act.

The Chair: I didn't see any of that. Again, the debate has been adjourned.

Leah Gazan: It was done by MP Philip Earle and MP Jaime Battiste. I did not find it funny.

The Chair: I'm sorry. The debate has been adjourned.

I did not see that at all.

Leah Gazan: Thank you.

The Chair: That's it. We're moving on. Do you have any more to continue?

A voice: No, I'm okay.

[*Translation*]

The Chair: Mrs. Gill, you have the floor for six minutes.

Marilène Gill: Thank you very much, Mr. Chair.

The officials will understand that my questions were for the minister, so I'll try to reformulate to some extent. I think the bill is essential. We are talking about a human right, even if it is not included in this version of the bill.

Yesterday, I took part in a press conference on Bill S-2, which we would like to see referred to committee very quickly, as my colleague Mr. Morin tried to do earlier. I draw inspiration from a young woman, Zoë Craig-Sparrow, who said yesterday that you can't consult on discrimination. I would also have liked to hear the minister's answer on that. I don't see why consultations are necessary when it is a matter of human rights. I don't know if the witnesses here can answer the question. That reference was removed from the act to severely weaken it. I would like to know if someone can answer: Why was it removed? A human right is not up for discussion.

[*English*]

The Chair: Who would like to answer that?

Nelson Barbosa: Thank you for the question.

I can't speak to the why. I think the minister spoke about that and about her perspectives. I can speak to what's in the bill. I think I mentioned earlier that the language is—

[*Translation*]

Marilène Gill: I apologize for interrupting the witness, but, with all due respect, since he can't answer my question, which the minister could have answered, I won't go into any more details.

I'm going to ask other questions that I'd like answers to.

[*English*]

The Chair: Proceed with your next question.

[*Translation*]

Marilène Gill: As we said, I hope the minister can come back to testify, otherwise she can send a written answer to the question. Why have human rights been removed from the bill? She is the one who should answer it, so I would like her to do so.

I have another question. Earlier, the minister wanted to talk about more technical aspects. I could see she wanted to explain more technical things about Bill C-39. Now we're looking at Bill C-37, of course, but we've seen with Bill C-5 last year, and now Bill C-39, that the Liberal government is giving itself a lot of powers. These are massive powers. We're talking about areas and regions of national interest, for example. We're hearing about those, but it isn't entirely defined.

I would have liked to know, from a technical standpoint, what the interaction is between these two bills. Can the regions of national interest, over which the Prime Minister has enormous powers, if not all the power, undermine access to drinking water or the water management and governance that we want to offer to first nations under this bill? I want to know what the interaction is between Bill C-37 and Bill C-39.

[*English*]

Nelson Barbosa: I can't speak to Bill C-39, but I can speak to the components in Bill C-37 that are critically important, particularly jurisdictionally.

[*Translation*]

Marilène Gill: Mr. Chair, once again, unfortunately, my question cannot be answered. I don't want a summary of what is essential in Bill C-37. We're talking about drinking water. I would like to know if Bill C-39 in any way threatens this access to drinking water, this human right, or if it has the potential to do so. I'm not getting any answer on that. Once again, my question was not for these witnesses, but for the minister.

Would it be possible to get an answer in writing? In my opinion, when you have all the powers, that right can be threatened. We're seeing it with pipelines that can cross these waterways where there are risks of contamination. It's often on first nations territories. I think the question should be raised with the minister. It was really my goal this morning, in the second round, to ask her that question.

● (0945)

[*English*]

The Chair: We can ask the department officials to take a look at that and bring back some answers in writing to address the concern of the MP. I appreciate that.

For the next question, you have a minute.

[*Translation*]

Marilène Gill: In fact, I could say the same thing about everything that has been removed from the bill, as long as we have answers. I talked about human rights, but I could also have talked about all the other things that were taken out. Once again, I would like to have, in writing, the reasons why there was no co-development in this case. Some very important elements have been removed, according to the first nations, and there is no explanation as to how that was decided.

I can see it by comparing the two bills, but I would also like to know what motivated the minister to make these amendments, given that the first nations agreed with the first version. I wonder why that was done. Knowing why these changes were made would really be complementary.

That's all for me, Mr. Chair. Thank you very much.

[*English*]

The Chair: There's not much time left, but I think the question was—

[*Translation*]

Marilène Gill: No, I understand. My questions are for the minister, and I ask that answers be sent to me in writing, because I imagine they won't be answered at this time either.

Thank you.

[*English*]

The Chair: For Bill C-61 to Bill C-37 and some of the changes—

[*Translation*]

Marilène Gill: Those are all the changes.

[*English*]

The Chair: The Hansard will be available for you to review...with the interpretation. For me, I don't want to try to rephrase someone's input on any question and answer, whether it's in English or French. Review the Hansard and address as you can, please. Thank you.

Next, for the Conservatives, we have MP Dalton for five minutes.

Please proceed.

Marc Dalton: I was really taken aback by the comments of the minister when discussing and responding to questions regarding, I believe, the Neskantaga. The minister said that they have gone without clean water for 31 years. The minister's response to this right here, as far as the timeline of this being addressed, was that they're in consultations. They're in the process. I felt it was a very lackadaisical response.

She said that $70 million is being directed to this, but she's leaving it with the band. The remark here from a Conservative colleague was that you would want clean water yesterday, or last year or 10, 20 or 30 years ago, not maybe next year or in five, 10 or 30 years. I think we seem to be forgetting, or maybe she doesn't appreciate, the importance of clean water. One of the most important aspects for health outcomes is having clean drinking water.

Maybe we can get a quick response as far as how this is acceptable. I don't see this as an acceptable response from the ministry or the minister—that maybe this will be okay in a year, two years, three years or four years. Can you address that, please?

Nelson Barbosa: I think I understand the question. Thank you.

Yes, absolutely, clean and safe drinking water is important. The bill that we're reviewing here today is called the first nations clean water act. It is critically important to sew up not only regulatory gaps but to continue to engage with partners on a myriad of things.

With respect to Neskantaga, the minister did speak to investments in a new water plant. I would add that we're working with the community on a 12-point action plan. It isn't one singular failure of systems; there's a systemic breakdown, from distribution, water and waste water, to the intake. It's technical, but there is a plan in place.

I would underscore two things. One is that first nations are the arbiters of both bringing drinking water advisories into place and lifting those things. That's to underscore the minister's previous comments. The second is that, of the 38 drinking water advisories in place, there is a plan—and it is public—to lift those drinking water advisories.

Thank you.

● (0950)

Marc Dalton: If you don't mind, because my time is limited, I'm going to interrupt here.

Seventy million dollars has been designated towards this project. How much has been spent to date, and where are we at with this project? Can you briefly give me a response to that?

Curtis Bergeron: The $70 million is forward-looking for a new water treatment plant. There are tens of millions of dollars that have gone into Neskantaga's current water treatment plant. We're working on interim upgrades to their distribution system because they have—I'm getting into the weeds—dead ends on those distribution systems, so they're creating a loop. There is also other work going towards it.

Marc Dalton: Thank you.

I would like to make note that in 2025 there were 11 new boil water advisories, and there are only three that have been lifted. It seems that we're really stagnating. I know we're hearing about all of these improvements, but we don't really see any changes. For instance, last year and this year we haven't seen any movement in terms of the numbers going down.

I'm going to ask if we can have documentation sent because the minister said there are 1,700 projects under way. Can we have a breakdown of the projects, please, and where they're at? It's fine to say that they're under way. An announcement is one thing—that could be under way—but where are the different projects at? That's a lot of projects.

It would be good to have that information on file. If it is already on file, maybe you could send the site.

Thank you very much.

The Chair: Thank you.

We now have MP Hanley.

You will have five minutes.

Brendan Hanley: Thank you very much, Mr. Chair.

Thank you to the officials for being here.

First of all, I would like to put a couple of points on the record.

I think there was an implication from my friend Mr. Dalton about the minister's reaction to a question. What the minister said in response to that question was that the minister's role is to support the community with the tools, the resources and the funding to advance first nation-led solutions. The whole point of the bill with the funding is to improve those tools.

I think the minister is determined to work with the communities to advance these community-led solutions by implementing those tools to ensure that the systems are working, and then to work with the communities in the eventual lifting of boil water advisories.

The second is on the supposed point of privilege. I'd like you to look at that, Mr. Chair. I don't believe that was a point of privilege. I also am upset that the member impugned my colleagues. To correct the record, what I witnessed—because my colleagues are right beside me—was that there was some friendly banter between the sides, but there was in no way any mocking or laughing at anyone.

Leah Gazan: A point of privilege—

The Chair: No, you don't have—

Brendan Hanley: I want that to be clear. I would ask the member to apologize for impugning my colleagues, and I want that to be on the record.

I would like to continue at this point with my questions.

● (0955)

The Chair: We are going to move on because we're running out of time, so please continue.

Brendan Hanley: I have two and a half minutes left for my questions.

Mr. Barbosa, I would like to dig into more of the operational realities on the ground.

In the previous panel, you mentioned, for example, a community that had turned around a boil water advisory within 48 hours, recognizing many of the difficulties and technicalities of actually realizing a clean water system in a remote community. Can you please elaborate on that example?

Curtis Bergeron: I believe my colleague Nelson was talking about the support of the Atlantic First Nations Water Authority and how, through its leadership, guidance and support for the communities it serves, it's able to provide all of these quick emergency supports. It also provides operations and maintenance to all those communities. It supports operators, not only with training but also with on-the-ground support, making sure that they have the technical guidance and expertise the water operators need. As you know, water treatment plants are increasingly sophisticated and technical, and they require a lot of wraparound supports.

In terms of the department, the department has increased operations and maintenance funding since 2015 by almost 400%. Upwards of $400 million will be supporting communities this fiscal year, going towards operations and maintenance funding.

Brendan Hanley: I wonder if any of you would be comfortable talking about the indirect effects on a community of having a clean water system in place as enabled and furthered by this legislation. I'm thinking about skills development, leadership development, economic development and mental health.

Would you be able to elaborate on any of these that you have witnessed during this work?

Nelson Barbosa: I think the indirect effects are somewhat innumerable, but I think you've alluded to some of the most poignant ones. For example, I have seen, in Atlantic Canada, commercial enterprise being developed by virtue of having better distribution of water. It has unlocked economic opportunities for many first nations where wealth is retained in communities, where jobs grow and where families thrive. That is one example.

I also think that understanding that infrastructure, whether it be water or not, is connected to a broader ecosystem of how people live that isn't ultimately about a water plant or school or a home. It's how all those things interconnect. In Pikwàkanagàn's case, that means 200 more homes have clean and safe drinking water. That means 200 more families have access to water that they haven't had before.

There are also direct effects. In some cases, these are very expensive systems, upwards of $100 million. These are expensive enterprises, and a lot of that wealth is retained in community. We want to ensure that in some cases, generational opportunities remain in community and remain local. We encourage local contractors, particularly first nations ones. It's not just about the jobs that operators provide; they are the quiet heroes behind this exercise. It's also about the injection of funding and what it can bring to the community as part of that growth.

The Chair: Thank you very much.

Next we have MP Gill for two and a half minutes, please.

[*Translation*]

Marilène Gill: Thank you very much, Mr. Chair.

I know that my colleague Ms. Gazan wanted to speak. Since this is a non-partisan issue, I want to give her some of my time to ask her questions.

[*English*]

The Chair: I have to ask for unanimous consent for the MP to speak, I believe....

No, it's okay to proceed because you're sharing your two and a half minutes.

[*Translation*]

Marilène Gill: I'll give her the two and a half minutes.

[*English*]

The Chair: I thought you were asking the committee, but you're sharing all your time.

[*Translation*]

Marilène Gill: Yes.

[*English*]

The Chair: Her time will be your time now.

Proceed, please.

Leah Gazan: Thank you so much, Chair.

I'd like to thank all of you for being here.

I'm wondering if your department can confirm that you agree with the statement that the right to clean, safe drinking water is a human right. Give me yes or no.

● (1000)

Nelson Barbosa: I don't speak for the department. I'm here to speak to the bill, and I can speak to what the language says in Bill C-37, which is progressively—

Leah Gazan: Is that a yes or no?

The reason I ask is that—we have limited time—you spoke about the progressive right as being within international law, and I just want to clarify the meaning of that. The standard in international law was designed to take into account the difference between rich and poor countries so wealthy countries could be able to do it right away.

Is Canada considered a wealthy country globally? Give me yes or no.

Nelson Barbosa: I'm not sure how that is relevant to the question on Bill C-37, but I'm happy to speak about progressive realization as it's written in the bill.

Leah Gazan: Regarding progressive realization, in your prior testimony, you referred to it being in international law. I was defining how that's defined in international law, because we also have a charter. Article 15 of the Canadian charter states specifically that:

> Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

In the bill, it specifically uses the word “comparable”, which violates the charter and it also violates international law.

Going back, does your department and certainly the minister, because you're giving a technical briefing...? Does the Liberal government or your department—

The Chair: We're running—

Leah Gazan: —agree with the statement that the right to clean drinking water is a human right?

The Chair: That's time. That's over time.

Leah Gazan: Thank you.

The Chair: That's over two and a half minutes, so we have to conclude our meeting.

I would like to thank everyone for being....

Do you have a point?

Philip Earle (Labrador, Lib.): Thank you, Mr. Chair.

I'd like to speak to a comment that was made, which named me, and to say to you how disappointed I am. We come here as committee members, and we don't play politics. We work hard for Canadians on issues that are very important to Canadians. That's why I sit here. Are there gestures across from each side that may contain a smile? Absolutely. That's the camaraderie that we have as we work hard for Canadians.

I am deeply offended by the comment that was made because my friend and I engaged with another member of this committee, who I won't name, in a gesture of happiness. Sometimes the subject matter here is deep enough, and it is that smile—I'll call it love—that gets us through the deep topic. I am deeply offended by the comments that were made about me.

Thank you, Mr. Chair.

An hon. member: That was well said.

The Chair: Thank you very much.

No, that's it. I have made my decision. We are going to move to adjourn. We're over time right now, so we're concluding with the....

Jamie Schmale: Don't we have 10 minutes?

The Chair: I'm sorry about that. We do. I'm sorry, but the point of order got to me. The love in the room got to me very much.

We're going to move now to MP.... There's the laughing again. Again, in my ruling, I didn't see anything that was brought up. MP Hanley has also spoken on record. MP Earle has also personally said that what was happening was not pertaining to what was raised earlier, so we are moving on. Thank you very much.

Let's get back to finishing this up. We have two rounds of questions.

Thank you very much, Vice-Chair, for bringing that up. Who will proceed for the...?

Go ahead, MP Schmale.

Jamie Schmale: Thank you, Chair.

Thank you, officials, for coming in.

I want to follow up on what I was...because I thought the minister was going to be here. The departmental plan for this year...and my friend and colleague Billy Morin pointed this out. When I was mentioning the percentage of first nations adults living on reserve who reported being in excellent or very good health, it was 37.8%, as reported from 2022 to 2024-25. Is that not right? The numbers have not changed. They remain the same. I think that 40% of those saying, “I'm in excellent or good health”, seems pretty low to me, but...okay.

Then we look at the footnote. The results that I just quoted were from 2015, and were cut and pasted for the last four years. It also reads, “The current cycle has been significantly delayed due to the COVID-19 pandemic.” That's interesting. It goes on, “The next set of survey results are expected to be made available by the First Nations Information Governance Centre...in 2027.”

I guess the question is this: Considering the fact that we're dealing with water advisories that have been around 30-plus years, the fact that we've spent more money than ever in indigenous departments and the fact that the bureaucracy has grown to double the size, has anyone in the department followed up and said, “Can we get these numbers?” Why don't you have them on your own?

● (1005)

Nelson Barbosa: Thank you for the question.

I'm happy to talk about results. From an infrastructure and water context, I could point to a 6% increase in indigenous water systems where their risk ratings have improved. I could point to waste-water systems that have seen a 7% increase in the last three years. I could point to—

Jamie Schmale: Does anyone have any information as to why the departmental plan is using the results from 2015?

It gets worse. Some of them, when we're talking about infrastructure here, are stats that are based on 2021. They're expected to be updated at some point in the future, and the list just goes on and on. When are we expected to get accurate results? Is there anyone who is working on this? It seems like the departmental plan is just cut and pasted and mailed in here. Why do we have stats from 10 or 11 years ago?

Nelson Barbosa: Thank you for the question.

The stats that I'm giving you right now are live stats. As I'm sure you've read the entire departmental plan, there are a myriad of hundreds of data points. I can allude to and point to some of the ones that are, maybe, more pertinent to this conversation here today, like a 7% increase in contaminated sites improving. I would also point out that 95% of first nations have water systems that meet or exceed Canada's minimum guidelines.

The point is taken that there is sometimes a data lag, but I would also like to underscore that as part of our previous conversation on operator and on capital, there are successes and those are valid and worth highlighting as well.

Thank you for the question.

Jamie Schmale: Thank you.

I hope that data lag situation improves, because I can't believe nothing has been done after 11 years, that it's just a cut and paste in the departmental plan. It also begs this question: What the heck are the real numbers if we don't know what's going on here? Does the minister know? In her words, she doesn't run the department—that's new.

I want to put that on pause if I can in order to do a notice of motion. I'll read it into the record and we'll deal with it later, obviously. It is as follows:

> That, given that the notice of meeting indicated that the Minister of Indigenous Services would appear before the committee for two hours regarding Bill C-37, but the Minister appeared for only one hour, the committee immediately invite the Minister to return for an additional hour of testimony at the earliest opportunity, to fulfill the two-hour appearance originally scheduled; and that the Clerk be instructed to communicate this invitation to the Minister without delay.

Thank you.

The Chair: It's been read into the record, so we'll move on.

Next up, we have Jaime for five minutes.

Go ahead.

Jaime Battiste: Thank you, Mr. Chair.

First nations water is one of the most important things we can discuss at this committee. As a young boy, I grew up in the community of Eskasoni, but my grandmother lived in the community of Potlotek. Every Sunday, my family would have to bring her water. We'd take it in gallons. I've reflected on that. I think about how many first nations communities still don't have good drinking water. I think everyone in this committee can agree that this is something that should take precedence. This is something important.

One of my proudest moments as an MP was having the Atlantic First Nations Water Authority created, which has helped that community ensure that they have water and that no one has to take them water anymore. I think about my aunt, who's a residential school survivor living in that community. For so many years, she didn't have good water. A lot of that was about capacity within the community. To know, because of the Atlantic First Nations Water Authority, the whole community is now able to have that water.... That was one of the prouder moments because we were able to give them long-term funding for five years to ensure that this was something they could plan for in the future.

One of my biggest regrets as a member of Parliament is this: We did all that work on Bill C-61. I thought this committee did some absolutely extraordinary work among all parties, talking about how we could get that through line by line. I know the members on the other side. I had great conversations with them. They were very cooperative. We did this together as a committee. We got through it line by line in a way that we could have gotten it passed. Unfortunately, when I stood up in the House of Commons to get unanimous consent, there were parties that shouted no. It was one of the most difficult moments—accepting that there are people in the House who play politics with first nations water. I would never say that anyone in this room made that decision or said that.

It's a challenge we can correct now, with this bill.

My question for the department is this: What is the biggest challenge right now for these communities that have boil water advisories? We hear about the hundreds of millions of dollars of investment coming or that we've put towards this. What is the biggest challenge right now that prevents us from doing something about these communities' long-term boil water advisories, and how does this legislation address that?

● (1010)

Curtis Bergeron: Thank you very much for the question.

Out of the 39 existing long-term drinking water advisories, 17 are as a result of operations. They have infrastructure in place capable of producing clean drinking water, but operations or other challenges exist. That could be anywhere from monitoring and reporting to having an operator or backup operator—or all those things combined.

In terms of how this bill would support that, it essentially commits to co-developing a funding framework. That funding framework could look at capital costs, operation costs, actual needs and monitoring—all those things. It would also bring into place standards and regulations, closing the only water regulatory gap there is in Canada, and that gap is on reserve.

Jaime Battiste: What will this legislation's passage—assuming that we finally get this legislation through—mean for the first nations communities that are not currently able to have the clean water that this legislation will bring? How will it ensure that this is something that never happens in the history...? How do we make sure that we put the funding in there, but that we also have the oversight to ensure that when people need the help of the federal government, we're there for them?

Curtis Bergeron: What this does is bring forward the affirmation of rights. That includes a law-making ability for water, waste water and source water on, in and under first nation lands. With that ability to create laws could also come the enforcement of those laws. That could be done by first nations. They could also request for that to be done by the provinces or the federal government. Essentially, it supports the control of water services under first nations.

It also commits to this funding framework that's really to be co-developed with partners and includes all of the things I listed before. The first nations-led water commission could do a number of things. Part of that could be supporting first nations in drinking water advisories and, maybe, infrastructure projects. It could also support operations and the maintenance of those things.

I want to reiterate that when the minister introduced this legislation, at the same time, she also introduced $4.6 billion in funding to support communities. That's going to change people's lives.

● (1015)

Jaime Battiste: Thank you.

The Chair: That brings us to the end.

Thank you very much to the department for providing some very important technical information for us as we begin our journey on this important study.

We're done.

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