



ASSEMBLY OF FIRST NATIONS
Special Chiefs Assembly

December 5-7, 2023

Shaw Centre – Ottawa, Ontario

Ottawa is located on the unceded unsurrendered Territory of the Algonquin People.

ASSEMBLÉE DES PREMIÈRES NATIONS
Assemblée extraordinaire des Chefs

Du 5 au 7 décembre 2023 - Centre Shaw - Ottawa (Ontario)

Ottawa est située sur le territoire non cédé et non abandonné du peuple algonquin.



First Nations Housing

History

The Assembly of First Nations (AFN), with regular guidance from the Chiefs Committee on Housing and Infrastructure and the regional First Nations housing technicians, continues to work jointly with Indigenous Services Canada (ISC) and Canada Mortgage and Housing Corporation (CMHC) to address the housing crisis by implementing the National First Nations Housing and Related Infrastructure Strategy (Strategy) per AFN Resolution 57/2018. This work includes laying a road map for First Nations to exercise jurisdiction over housing for their citizens no matter where they live; implementing AFN Resolutions 66/2023 and 60/2022 on the federal strategy on urban, rural, and northern Indigenous housing; support for the Dene Nation control of housing through Resolution 81/2019; and CMHC bonding through Resolution 32/2023.

AFN's recent advocacy

The AFN has been working with CMHC, ISC and the AFN Infrastructure sector on (1) Closing the Infrastructure Gap by 2030 (CTIG); (2) the Federal Urban, Rural, and Northern Indigenous Housing Strategy (URN Strategy), and (3) security bonds for First Nations construction companies on housing construction contracts.

1. CTIG and the AFN's Pre-Budget Submission on Housing

By the end of November, the AFN is scheduled to complete a draft Shadow Memorandum to Cabinet (MC) on CTIG. The main purpose of the Shadow MC is to influence the Minister of Finance to commit to a multi-year financial investment that will realize the Minister of Indigenous Services' mandate to close the infrastructure and housing gap by 2030. The cost estimate to close the housing gap by 2030 that was co-developed with Indigenous Services Canada and addressed in AFN resolution 59/2022 is \$135.1 billion.

A consultant's report indicating all likely sources of capital to match the CTIG cost estimate of \$349.2 billion is currently in development. This report will show Cabinet that if the federal government is serious about closing the infrastructure and housing gap by 2030, a large percentage of the capital will have to come directly from federal cash investments or other innovative measures.

The AFN was disappointed that the 2023 federal budget did not commit a multi-year housing investment. However, the Indigenous Services Minister raised First Nations expectations that the 2024 budget might invest more when she told the participants at the AFN's National First Nations Housing and Homelessness Forum on June 1, 2023 in Toronto, "My role is to...find you the tools you need...so that First Nations have everything they need to move forward with their work....**these investments [\$2.4 billion 5 years for on-reserve housing, Federal Budget 2022] are really just a down payment on the continued work and money that has to be dedicated to fully close the gap.**"



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2. Urban, Rural, and Northern Indigenous Housing Strategy

Canada has committed \$4 billion over seven years starting in 2024/2025 towards the URN strategy in addition to the 2022/2023 commitment of \$300 million.

CMHC, AFN, and Regional Technicians worked closely together on the First Nations section of the URN Strategy. The AFN and Regional Technicians proceeded to develop a Shadow Memorandum to Cabinet (MC) on the URN strategy. The Shadow MC's key features are a commitment to co-develop the federal supports to First Nations as they transition to fully exercising their housing jurisdiction over their traditional territories; that distinctions-based, First Nations-exclusive URN housing funds be spent on- or off-reserve; all federal First Nations housing policies, strategies, and initiatives shall be co-developed; and to offer Treaty First Nations processes to discuss implementing the federal government's Treaty housing obligations. Furthermore, the Shadow MC will help to fulfill Canada's constitutional obligations as well as those in the United Nations Declaration on the Rights of Indigenous Peoples. The AFN is pressing the Minister of Housing to attach the Shadow MC as an appendix to the official MC. It also serves as a guide to Chiefs in their political advocacy.

3. Security Bonds on First Nations Housing Construction Contracts

On April 6, 2023, First Nations-in-Assembly passed Resolution 32/2023, *Modify CMHC Tender Security Bond Requirements*, which directed the AFN to urge CMHC to work jointly with the AFN to uphold principles of reconciliation and revise its funding and procurement policy by reducing the requirement for security bonds for First Nations construction companies.

For CMHC funded projects, bonding is required for housing projects 50 units or more and is governed by CMHC policies on bonding. The HHS continues to engage with CMHC on this issue.

Bonding is also an issue for construction companies building homes that are not funded by CMHC. For ISC funded projects, bonding is required for capital projects over \$25,000 and is governed by the *Tendering Policy on federally funded capital project for First Nations on reserve*. The Tendering Policy may impact potential projects under ISC and URN Strategy. AFN Infrastructure Sector has been working with ISC on the comprehensive review of the Tendering Policy. This includes discussions on alternatives to bonding where security is required and limiting the dollar value of projects that require security bonds for First Nations construction companies.

Next Steps

While the AFN works to implement the resolutions through advocacy with ISC and CMHC nothing can replace the effectiveness of Chiefs meeting with Ministers and parliamentarians to communicate key messages and move the agenda forward. Senior federal bureaucrats have emphasized the need for Chiefs to speak directly to the Ministers. The HHS is available to prepare Chiefs for such meetings should they wish to attend.