



Indigenous Spectrum Priority Window Métis National Council

1. Policy Objectives:

Do you agree with the stated policy objective in section 3.1? If not, how should it be modified?

- a. How can we measure the success of the IPW spectrum policy framework?**
- b. How would you like to see the IPW spectrum policy framework used in the future?**
- c. Are there any other spectrum access measures we should consider to further support Indigenous connectivity?**

Electromagnetic spectrum represents a valuable natural resource which the Métis Nation has been excluded from owning, despite its significant revenue-generating potential. It is important to note that spectrum, as a natural resource, was never ceded to the Government of Canada by the Métis Nation and ownership of this asset cannot be relinquished without the consent of Métis governments. Therefore, the Métis Nation seeks to engage in meaningful dialogue with the Government of Canada regarding its ownership of the spectrum.

Given the critical importance of this natural resource, the Métis Nation seeks to build its capacity to leverage its economic development potential. To do so, the Métis Nation requires an adequate source of funding in order to engage substantively with Canada and corporate partners in order to optimize the benefits of this economic development opportunity.

The overarching goal of improving the Métis Nation's access to spectrum, and prioritizing Métis citizens applicants, is a positive step in the right direction. While priority access and support in acquiring spectrum are valuable from a service access perspective, there is no mention of the Métis Nation benefiting from spectrum on a cashflow basis. Canada needs to move beyond granting greater access to spectrum and draw upon lessons learned from other jurisdictions where Indigenous peoples are granted ownership of spectrum to support their economic self-determination.

For example, spectrum traverses the Métis homeland in Canada and is a key asset that generates revenue for the Federal Government. To illustrate, imagine a river flowing through the Métis homeland, where the Government of Canada has built a dam generating revenue from hydroelectricity. Under the current framework, the government's approach is to assist the Métis Nation in accessing some of the electricity generated by the dam, yet the Métis would still be paying for this utility. Viewing this analogy through the lens of economic reconciliation, the Government of Canada should not only be facilitating access to this utility but also sharing the revenue generated from the asset with the Métis Nation, as these revenues are directly tied to the cashflow generated from resources within the Métis homeland.



Therefore, an additional measure of success should not only include ensuring Métis access to spectrum but also Métis access to a share of the revenues generated through the auctioning and utilization of spectrum rights. This would represent a more equitable approach to economic reconciliation and the Métis Nations's participation in Canada's infrastructure economy.

2. Eligibility Criteria:

What eligibility criteria should we consider for IPW applicants?

- a. Does the existing applicant-based option (Option 1), as defined in section 3.2, resonate with you? If so, which parts do you think are the most valuable to use to create the final eligibility criteria?**
- b. Does the community support-based option (Option 2), as defined in section 3.2 resonate with you? If so, do you think it should be combined with Option 1 or should it stand on its own?**
- c. Does the project-based option (Option 3), as described in section 3.2, resonate with you? If so, which parts do you think are the most valuable to use to create the final eligibility criteria?**
- d. Are there other approaches that may be better suited to create the final eligibility criteria?**

With respect to eligibility criteria, it is essential that Métis governments can secure a portion of the spectrum that exists within the Métis homeland. Additionally, if a Métis business applies for spectrum access, it is critical that the business be cross-referenced with the regional Métis business directory hosted by each provincial Métis government, rather than being cross-referenced with Canada's Indigenous business directory. This ensures that any business claiming to be Métis has been certified by the respective Métis Nation government in the region, guaranteeing that any Indigenous advantages of accessing spectrum within the ISED framework are granted to authentic Métis businesses. This process safeguards the integrity of Métis business participation and ensures that the benefits intended for Métis communities are appropriately allocated.

3. Time-limited Window: The proposed time-limited window is 12 months (section 3.3). Do you feel this is sufficient time to submit a licence application? If not, how much time would be sufficient?

The proposed time limit window may be adequate depending on the nature of the agreement related to the Métis Nation accessing spectrum. For example – the application requirements for accessing spectrum for use vs. accessing revenues associated with the auction sale of spectrum will differ greatly (with the later not being a formal part of the process yet). The Métis National Council would also seek to partner with ISED on the review of the licence application.



4. Conditions of Licence:

How can the conditions of licence described in section 3.4 be designed for future spectrum access initiatives to support Indigenous-led connectivity solutions?

In relation to the “conditions of license,” the following are examples listed on the website: Some examples of these conditions include deployment requirements, fees, reporting requirements, and adherence to technical standards. These conditions help ensure the efficient use of the spectrum and limit the instances of interference between neighbouring licensees. As stated above, the Métis National Council would also seek to partner with ISED on the review of the licence application.

Efficient use of spectrum is essential to ensuring equitable access in rural communities across Canada. Through the auction process, larger telecom companies often purchase portions of spectrum that cover rural areas, but if these portions remain unused, it hinders connectivity and access in these regions. In the 21st century, access to the internet is as fundamental a right as access to literacy was in the past. The economic development and prosperity of the Métis Nation’s rural citizens depend not only on access to spectrum auction revenues but also on the efficient use and implementation of spectrum in rural areas. Telecoms that acquire spectrum in these regions must ensure these assets are actively developed, rather than being “sat on” or left idle, to support the growth and connectivity of these underserved communities.

Regarding the fees associated with owning spectrum, the Métis Nation should be exempt from any fees related to spectrum within the Métis Homeland and be granted equitable revenues from the cashflows generated through spectrum auctions. A straightforward approach would be to allocate 1.75% of all cashflow generated from spectrum infrastructure—proportional to the Métis population relative to the total Canadian population—to the Métis Nation. Alternatively, 1.75% of the available spectrum could be set aside for the Métis Nation to either be utilized by a Métis-owned telecom or leased to other Canadian telecom companies, creating a direct revenue stream for the Métis Nation.

5. Engagement:

Should we consider other platforms to engage with Indigenous partners to advance economic reconciliation?

Co-development and respecting a nation-to-nation, government-to-government approach are essential when engaging the Métis Nation. These principles form the foundation of economic reconciliation, particularly in the development of spectrum policy. It is crucial that this policy be developed—not merely articulated—by both the Métis Nation and the Canadian government.



Early and meaningful engagement is necessary to ensure that future spectrum policies are not written first and then adjusted to accommodate the Métis Nations priorities but are instead developed in tandem with the Métis Nations priorities. This collaborative approach ensures that the resulting policy is comprehensive, forward-thinking, and aligned with the needs of both nations.

The Métis Nation proposes that ISED allocate the necessary resources for the Métis National Council to organize a Métis Spectrum Policy Gathering, where ISED spectrum experts can meet with Métis Governments to do co-develop a way forward on this important opportunity. This would represent ISED's commitment to the full implementation of the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA) and recognition of the fiduciary responsible that Canada has for Métis as articulated in the *Daniels* decision.

6. Additional comments:

To add any additional comments that were not captured in the questions above, you may provide comments here.

As outlined above, there are two key priorities concerning the Métis Nation's access to spectrum. First, the Métis Nation must be granted priority access within the auction process. Second, it is essential that the Métis Nation secures equitable access to the revenues generated from spectrum infrastructure, which has historically excluded the Métis. These revenues are derived from utilizing resources located on unceded land throughout Canada, much of which lies within the Métis Homeland. Spectrum is a vital resource and will continue to be a significant component of Canadian infrastructure that generates substantial revenue. It is time for the Métis Nation to share in these revenues and capitalize on the cashflow generated from resources within the Métis Homeland. By including the Métis Nation in the revenues generated from these assets, the Canadian Federal Government can make meaningful strides toward economic reconciliation, ensuring that the Métis Nation benefits from the resources located within their traditional territories.