

of those Indians who will be reinstated by this Bill. There will be social chaos on many reserves if people who are reinstated come back to their home reserves and get housing in advance of present band members who have been on waiting lists sometimes for years.

If, on the other hand, people who are reinstated cannot come back to the reserve and have decent housing, then the entire reinstatement program is a cruel hoax. It is not just a matter of housing, Mr. Speaker, there will also be the need for additional water, sewage and road systems, to say nothing of the need for adequate land base and funding for economic development.

● (1410)

The Minister was aware of some of these concerns when he drafted the Cabinet document that was leaked this last week. It states in Section 40:

On many reserves all available lands are allocated. . . . Some Indian groups have argued for a land "dowry" of up to 128 acres to be allocated for each such individual. This option would be extremely expensive and really goes beyond the scope of dealing with the effects of discrimination. The Minimum action required on this issue would be to allocate funds to provide additional land to meet the essential housing and infrastructure needs of persons restored as band members. This could be done in accordance with existing federal policy on additions to reserves. Funds for this purpose could be provided on a phased basis depending on their availability. No legislative amendments would be required to implement this system.

Whether or not this is an authentic Cabinet document, I cannot say, but it certainly accords with the way in which this Bill comes forward. What we have is the minimum action. In other words, there is no action being taken on the question of finances. All the Minister says is that funds could be provided on a phased basis depending on their availability. That does not begin to meet the needs of Indian communities, if there is going to be reinstatement of band membership.

In that connection, I would like to ask why is funding for economic development down by some \$23 million in the 1985-86 Estimates when there will be more need of it than ever? The Special Committee on Indian Self-Government, in recommendation No. 22, stated:

The Committee recommends the establishment of a specialized tribunal to decide disputes in relation to agreements between Indian First Nations and other governments. Its structures, powers and procedures should be jointly decided by the federal Government and designated representatives of Indian First Nations.

Given the financial needs of Indian bands and the increased pressures that are going to be placed upon them by reinstatement, there is a great need for some such tribunal where people can come together and reach some kind of agreement as to what will be available to them.

The second area where the Bill requires some funding guarantees is with respect to the estimated 52,000 people who for the first time will be eligible for Indian status. Through band control of membership, some of these people will acquire full membership in Indian bands, but others will not. Theoretically, they will be entitled to health and education services which are presently available to off-reserve Indians. The problem is that these services have been drastically cut back in the past few years.

Indian Act

It will be cold comfort for a non-status Indian in Regina or Winnipeg to acquire Indian status and then find that it does not mean a thing in terms of real benefit. In the past few years allowances for off-reserve high school students have been cut and it has become more difficult to get funding for post-secondary education. Where is the off-reserve housing program that used to exist a few years ago? What is there in the way of economic development funding for off-reserve Indians? Without some guarantee of federal dollars and some commitment to programs, this whole business of Indian status will be a cruel joke on first-generation children.

Third, there is finally the possibility of creating new bands. Considering the intransigence of present bands toward receiving reinstated members, this possibility needs to be actively provided for with some funding. This means funding for land acquisition from the provinces as well as funding for housing, infrastructure and economic development.

Perhaps some Members get nervous with all this talk about the need for money, but they should remember two things. First, we owe a long-standing debt of justice. Indian people have suffered from our imposition of unjust laws and our denial of a decent economic base in the past. We have a great deal of catching up to do. Second, nothing could be more uneconomical than the present waste of our human resources. Many Indian people, status and non-status, are trapped in the downward spiral of welfare-based poverty, yet we continue to pour millions of dollars into that system every year. If we recognized the legitimate needs of Indian people, it would turn to our long-term economic advantage.

I want to raise one question about a detail in the Bill because it involves an important principle. I refer to those clauses dealing with band control of membership. We agree with that principle, but I am concerned that the Bill does not specifically require that band membership provisions should conform to the Charter of Rights and Freedoms. Some people might claim that this conformity can be taken for granted, but everything that happens in Canada has to be in accordance with the Charter of Rights and Freedoms. We cannot take this for granted. There is some legal opinion that would hold that the Charter of Rights and Freedoms would not be applicable in this area. I would like to see that issue nailed down in this legislation.

We in our Party take a very positive view of the role of government. We believe that government can and should be on the side of people, but we believe that every level of government, whether it is federal, provincial or Indian government, should be acting in accordance with the Charter of Rights and Freedoms. I would like to see that tied down in this legislation. In the same way, there has to be some guarantee that the recognized rights of bands to determine residency will be done in accordance with the Charter of Rights and Freedoms.

I have a couple of final comments about the time schedule. On April 17 the Charter of Rights and Freedoms comes into effect. I am not completely sure what the legal effect of April 17 will be on the Indian Act; I understand that some Justice Department lawyers are not completely sure of all the implica-