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Nov. 9, 2026

Hon. Mark Carney
Prime Minister of Canada
Government of Canada

Hon. Mandy Gull-Masty
Minister of Indigenous Services Canada
Government of Canada

OPEN LETTER: FNLC Rejects Canada's Latest Process to Delay Bill S-2 and End Second-Generation Cut-Off

Dear Prime Minister Carney and Minister Gull-Masty,

We urge your government to cease any further distractions or delays and take immediate steps to eliminate the second-generation cut-off by passing Bill S-2 as amended by the Senate and as supported by First Nations title and rights holders.

We were deeply alarmed by your government's proposal at the October 26, 2026, First Nations - First Ministers Meeting (FN-FMM) of new standalone legislation to address the second-generation cut-off and *Indian Act* registration concerns rather than ending sex-and race-based discrimination via Bill S-2 as amended now. Further, we are concerned with the Minister of Indigenous Services Canada's (ISC) use of a secretive process regarding the new standalone legislation, that violates the legal duty to consult in good faith.

By Resolutions 26/2025, #0726.01, and 2023-61 (enclosed) the B.C. Assembly of First Nations, the First Nations Summit and the Union of B.C. Indian Chiefs, working together as the First Nations Leadership Council (FNLC), have called for an end to sex- and race-based discrimination from the *Indian Act* and removal of the second-generation cut-off. We fully support the amendments to Bill S-2 made by the Standing Senate Committee on Indigenous Peoples and adopted by the Senate of Canada on December 4, 2025.

Immediate elimination of the second-generation cut-off is supported by UN human rights bodies including the UN Human Rights Committee, the UN Committee on the Elimination of Discrimination Against Women, and, in May 2026, the UN Expert Mechanism on the Rights of Indigenous Peoples, as well as by the vast majority of First Nation and expert witnesses who have testified before the Government of Canada on its harmful and assimilatory effects.

We understand that Minister Gull-Masty has invited select First Nations leaders to consult with ISC regarding new draft legislation to address the second-generation cut-off, on the condition that they sign a Non-Disclosure Agreement (NDA), which binds them to not disclose any information that is shared with them for a period of five years, unless that information is disclosed to the public by the Minister. Using NDAs to convene meetings with selected leaders blocks First Nations leaders from consulting their Nations, members, technical and legal advisors. This secretive and selective process is an alarming escalation of the government's tactics to undermine the broad support of First Nations across

Canada and the unanimous support of the Senate for the immediate elimination of the second-generation cut-off via Bill S-2 as amended by the Senate.

For months, Bill S-2 has been stalled in the Standing Committee on Indigenous and Northern Affairs (INAN Committee), while the Minister insisted upon further consultations and then argued for broader registration reform and confused the issues of band membership and self-determination over citizenship with Indian status, and is now proposing new draft legislation. These deceptive tactics are a red herring to distract and delay the passage of Bill S-2.

This process directly contravenes the mandate of the vast majority of First Nations across Canada, who are on record supporting the immediate passage of Bill S-2 as amended by the Senate. We have been clear in "categorically reject[ing] Indigenous Services Canada using this longer-term negotiation process to quietly kill Bill S-2."[1] Your decision to introduce new standalone legislation ignores this broad support from First Nations and First Nations rights-holders.

ISC's pursuit of this duplicate legislation wastes government and First Nations resources by developing legislation that covers the same subject matter as Bill S-2 as amended by the Senate. While the Minister tried to argue that Bill S-2 needed to be passed as it was originally introduced so that those impacted by the Nicholas case could be registered, the Nicholas litigants are on record in support of Bill S-2 as amended.

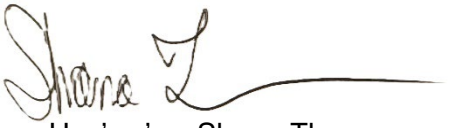
Passing Bill S-2 as amended does not preclude your government from future opportunities to engage in consultative processes to address First Nations jurisdiction over citizenship or potential new legislation. Your government has a legal obligation, long-recognized by numerous Supreme Court of Canada equality decisions, to end sex- and race-based discrimination in the *Indian Act* status provisions immediately - not incrementally - by passing Bill S-2 as amended by the Senate.

Sincerely,
FIRST NATIONS LEADERSHIP COUNCIL

On behalf of the FIRST NATIONS SUMMIT


Robert Phillips

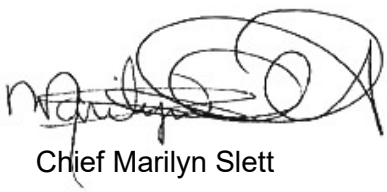

Hugh Braker


Huy'wu'qw Shana Thomas

On behalf of the UNION OF BC INDIAN CHIEFS


Grand Chief Stewart Phillip


Chief Councillor Linda Innes


Chief Marilyn Slett

[1] https://www.ubcic.bc.ca/ol_pass_bill_s_2_as_amended_without_distractions_or_delays

On behalf of the BC ASSEMBLY OF FIRST NATIONS:



Regional Chief Terry Teegee