

**From:** [Jody Woods](#)  
**To:** [Deepshika Kelkar](#); [Allison Eccleston](#)  
**Cc:** [Robyn Laba](#)  
**Subject:** ATIPs  
**Date:** September 9, 2021 1:00:31 PM

---

Hi Deepshika and Allison.

here is the list. let me know if you have any questions!

Thanks you!

Jody

## ATI List

We need to make a number of Access to Information requests to various agencies.

In addition, legal counsel is advising we make an informal request to the Chair of the Specific Claims Tribunal (not subject to ATI and privacy legislation).

### Requests related to Specific Claims Tribunal independence and capacity

1. [ATI request to the Administrative Tribunal Support Service of Canada \(ATSSC\)](#) asking for any opinions, correspondence, briefing notes, papers, emails or any other written or digital documents pertaining to measures undertaken to protect the independence of the SCT since the advent of the ATSSC in 2014, with an emphasis on that information from January 2019 to present.
2. [ATI request to the Administrative Tribunal Support Service of Canada \(ATSSC\)](#) asking for any opinions, correspondence, briefing notes, papers, emails or any other written or digital documents pertaining to reasons why Justice Paul Mayer 2020-2021 resigned.
3. [Two separate ATI requests to the Administrative Tribunal Support Service of Canada \(ATSSC\) and the DOJ](#) asking for a copy of the exemption legal counsel obtained between 2009 and 2011, specifically the SCT exemption to hire non-DOJ lawyer on account of Minister of Justice's (MOJ)" admitted conflict of interest.
4. [Two separate ATI requests to the Administrative Tribunal Support Service of Canada \(ATSSC\) and the DOJ](#) asking for any opinions, correspondence, briefing notes, papers, emails or any other written documents pertaining to the exemption legal counsel obtained between 2009 and 2011, specifically the SCT exemption to hire non-DOJ lawyer on account of MOJ's admitted conflict of interest.

### Requests related to intellectual property provisions in funding agreements <sup>[1]</sup>

Context: Funding agreements between Indigenous Services Canada for the 2021-2022 fiscal year included new provisions related to intellectual property rights that had not appeared in previous agreements.

The model on which the [2021-2022 funding agreements](#) <sup>[1]</sup> is based is published on the Indigenous Services Canada (ISC) website and was developed "according to the Treasury Board Secretariat Directive on Transfer Payments [which] ... describes the requirements needed to maintain the accountability relationship between Indigenous Services Canada (ISC) and the funding recipient"

The [TBS Directive on Transfer Payments](#) (modified in 2020-02-21) sets out considerations federal departmental managers should explore with respect to intellectual property generated as a result of funded activities. Whether and to what extent First Nations were involved in the 2020 revision of these directives is unknown. It has also not yet been determined if the funding agreements imposed on First Nations and CRUs align with the TBS directives. This will require further research.

5. [An ATI request to the Treasury Board Secretariat](#) for any opinions, correspondence, briefing

notes, papers, emails or any other written or digital documents pertaining to measures undertaken to consult with First Nations and results of that consultation about the development of TBS Directives on transfer payments.

6. [An ATI request to the Treasury Board Secretariat](#) for any opinions, correspondence, briefing notes, papers, emails or any other written or digital documents pertaining to the development of provisions in the of TBS Directives on transfer payments related to Crown assertions of intellectual property rights over First Nations' intellectual property.
7. [An ATI request to Indigenous Services Canada](#) for any opinions, correspondence, briefing notes, papers, emails or any other written or digital documents pertaining to the inclusion of intellectual property rights provisions into the *Funding Agreement Model: Other and Project Based 2021-2022* which ISC's website describes as being based on provisions in the of *TBS Directives on Transfer Payments* related to Crown assertions of intellectual property rights over First Nations' intellectual property.
8. [An ATI request to Indigenous Services Canada](#) for any opinions, correspondence, briefing notes, papers, emails or any other written or digital documents pertaining to measures undertaken to consult with First Nations and results of that consultation about the development the *Funding Agreement Model: Other and Project Based 2021-2022* which ISC's website describes as being based on the *TBS Directives on Transfer Payments* related to Crown assertions of intellectual property rights over First Nations' intellectual property.

#### Requests related to specific claims settlement data

##### Context:

The [Online Specific Claims Reporting Center](#) provides data on claims status, settlement values, dates etc. One of the reports that can be queried, *The Specific Claims Settlement Report*, provides specific information on claims settlement costs and amounts. In a 2006 printout of the database the following information was included:

1. Settlement Cost
2. Negotiation Cost
3. Other cost
4. Total Federal Share (including land)
5. Provincial shares (including land)
6. Unidentified land

Here is an image

However, in recent years some data is no longer available on this public database. Current public reporting on claim settlements only includes the following: Name/province of First Nation, claim name, settlement date and amount (see embedded image below). Here is an image

9. [Request for specific claims settlement data as reported in 2006](#). This should include all claims settlements from the beginning of the program (1974 to present)
-

**Jody Woods**

*Research Director*

*Acting Administrative Director*

**Union of B.C. Indian Chiefs**

OFFICE TEL	<a href="tel:(604)6840231">(604) 684 0231</a>
CELL PHONE	<a href="tel:(604)9928849">(604) 992 8849</a>
FAX	<a href="tel:(604)6845726">(604) 684 5726</a>
E-MAIL	<a href="mailto:jwoods@ubcic.bc.ca">jwoods@ubcic.bc.ca</a>
WEBSITE	<a href="http://www.ubcic.bc.ca">www.ubcic.bc.ca</a>

401 - 312 Main Street, Vancouver BC V6A 2T2

**OUR LAND IS OUR FUTURE**

*We acknowledge our place of work is within the ancestral, traditional and unceded territories of the X<sup>w</sup>məθk<sup>w</sup>əyəm (Musqueam), Skwxwú7mesh(Squamish) and səliwatał (Tsleil-Waututh).*