

MEMORANDUM

June 10-12, 2024

To: Saint Regis Mohawk Tribe
Kootenai Tribe of Idaho

From: Holland & Knight LLP

Re: Summary of the June 10-12, 2024 Jay Border Alliance Fly-In

On June 13-14, 2023, the Jay Treaty Border Alliance (JTBA) held its 2023 Washington D.C. Fly-In. JTBA met with representatives from the Senate and the United States Senate Committee on the Judiciary and the House of Representatives to advocate for the enactment of the Tribal Border Crossing Parity Act. Below is a summary of the meetings held.

Tuesday, June 11, 2024

- **John Brockmier (Rep. Zinke R-MT)**

John was overall very supportive of the bill, he agreed that the practice of border agents deciding Tribal membership through blood quantum was wrong. He expressed disbelief that the bill had not been passed yet, and inquired what barriers were preventing the bill from passing through. He had personal connections to an area effected by the US-Canadian border crossing issue. He will relay the information about the bill to Rep. Zinke, and said he was sure that Zinke would be supportive of the bill given his past history of supporting Indian Country.

- **Patrick Lowman (Rep. Kennedy D-NY)**

Lowman was generally supportive of the bill. He asked how the border crossing issue impacts tribes directly, and mentioned that he has not been able to talk to the Rep. Kennedy yet. He expressed that he will pass along information to Rep. Kennedy, and that there should be no reason as to why Kennedy would not be willing to sign the bill. Lowman agreed that blood quantum language was antiquated.

- **Faith Tuttle (Rep. Stefanik R-NY)**

Faith was hesitant of certain provisions of the bill and overall seemed uneducated on the topic, expressing that she was not knowledgeable in Indian affairs but would pass along information to the rest of Rep. Stefanik's staffers. She emphasized that Rep. Stefanik would be in favor of the bill being dominant on American law, as opposed to Canadian law.

- **Chance Lott and Mary Silverthorn (Sen. Cramer R-ND)**

Chance Lott and his colleague fellow legislative aide Mary Silverthorn were both supportive of the bill. Lott agreed that the blood quantum requirement was racist, and used his knowledge of immigration and border law to understand the bill fully. Silverthorn specialized in federal Indian law. Lott and Silverthorn understood how the issue might affect Native people, and will pass along information about the bill to Sen. Cramer. Both aids were curious on if North Dakota tribes were impacted by the law in any way.

- **Brenda McKinney (Sen. Klobuchar D-MN)**

McKinney was supportive overall of the bill, and was curious on certain provisions and barriers to the bill being passed. She agreed that striking any provisions related to the blood quantum would be essential. She said that she had not heard much about this issue, and looked forward to keeping in contact about it. She had several clarification questions about how membership in tribes is determined as well as what barriers were preventing the bill from passing. She agreed that no one wants fraudulent activity at the border, and said it was helpful to hear which Congresspeople were already connected to the bill. She said she would review the language currently being proposed by the DHS with a colleague, and would pass information about the bill to the rest of her team.

- **Reilly Lamp (Sen. Simpson R-ID)**

Lamp was supportive overall, was willing to take information, and ensured the group that Sen. Simpson would likely be supportive and would receive information about signing onto the bill.

Wednesday June 12, 2024

- **Allison D. Kent Senate Judiciary – D**

Kent was supportive of the bill, although she expressed doubt on the realistic measures immigration and border patrol could take in implementing changes, as she had experience working in immigration law before her time with the Senate Judiciary. Out of all the staffers we met with, she was the most knowledgeable with the workings of border patrol and potential solutions to individual issues with the JTBA. She will circulate information with other staffers.

- **Will Smith (Rep. Langworthy (R-NY))**

Smith was previously uninformed on the bill, but read the one-pagers provided to him thoroughly. Smith was overall supportive of the bill, and agreed that the laws in place currently seemed racist and the DHS solution was not ideal. He ensured that he would pass the bill up to Rep. Langworthy, and Smith anticipated support from him.