



JAY TREATY BORDER ALLIANCE

ARTICLES OF ASSOCIATION AND BY-LAWS

ARTICLE I. NAME

The name of this association shall be the **JAY TREATY BORDER ALLIANCE** (“JTBA” or the “Alliance”).

ARTICLE II. PURPOSE

The JTBA is an alliance of Indigenous Nations recognized by Canada and the United States that are united to:

1. Protect the right of Indigenous peoples to freely cross the Canada-U.S. international border as recognized by Article III the Treaty of Amity, Commerce, and Navigation of 1794 (“Jay Treaty”),
2. Advocate for the right of Indigenous peoples to “maintain and develop contacts, relations and cooperation, including activities for spiritual, cultural, political, economic and social purposes, with their own members as well as other peoples across borders” and related rights as set forth in the United Nations Declaration on the Rights of Indigenous Peoples,
3. Engage in dialogue and advocacy with officials of the American and Canadian federal governments to address such border crossing rights,
4. Establish effective working relationships with the United States Customs and Border Protection and Canada Border Services Agency, and related federal agencies, and
5. Serve as a focal point of contact and information for Indigenous peoples to address issues associated with crossing the Canada-U.S. border.

ARTICLE III. MEMBERS

Section 3.1. **CLASSES OF MEMBERS.** The Alliance shall have three classes of membership: (i) Co-Chairs, (ii) Executive Committee, and (iii) General Membership. Together all such classes shall be referred to as “Members.”



Section 3.2. **CO-CHAIRS.** There shall be four Co-Chairs, two of which shall be official representatives of Canada-based First Nations and two shall be representatives of U.S.-based federally recognized Tribal governments.

As founding Members, the Kootenai Tribe of Idaho and the Saint Regis Mohawk Tribe shall serve as permanent Co-Chairs for the United States. The Mohawk Council of Akwesasne and the Mohawk Council of Kahnawake shall serve as initial Co-Chairs for Canada for a term of two years. Successor co-chairs shall be decided by Canada-based First Nations.

Section 3.3. **EXECUTIVE COMMITTEE.** Executive Committee membership is open to any First Nation or federally recognized Tribal government with their citizens/members located on both sides of the Canada-U.S. border who has satisfied the minimum annual financial commitment and has been approved by the Co-Chairs.

Section 3.4. **GENERAL MEMBERSHIP.** General membership is open to any person or stakeholder that has an interest in supporting the mission of the Alliance and who has paid their membership dues and submitted a resolution or letter of intent to join the Alliance.

Section 3.5. **MINIMUM FINANCIAL COMMITMENT; MEMBERSHIP DUES.** The following schedule of financial obligations to the Alliance shall be in effect until such time as may be changed by the Executive Committee:

Co-Chairs and Executive Committee Members	\$5,000 USD per year (including amounts paid for professional staff dedicated to JTBA efforts)
General Members (non-tribal governmental staff)	\$0 USD (subject to conference registration fee)

The Co-Chairs and Executive Committee Members shall bear their own costs and expenses that are incurred in connection with participating in any JTBA activities. Any joint activity by the JTBA that is not covered by donations shall be split equally among the Co-Chairs unless otherwise agreed.

Section 3.6. **DESIGNATED REPRESENTATIVE.** Co-Chairs and Executive Committee Members may appoint a Designated Representative from their tribal government to represent them in meetings and other matters pertaining to the Alliance. Co-Chairs and Executive Committee Members seeking to appoint a Designated Representative must do so in writing and must specify the duration for which the Designated Representative shall serve.

Section 3.7. **TERMINATION.** Any Co-Chair or Executive Committee Member may terminate their membership upon a written letter of resignation with the Alliance. Any Executive Committee Member or General Member may be removed by a majority vote of the Co-Chairs. A terminated or removed Member shall forfeit any and all prior payments made to the Alliance.



ARTICLE IV. DUTIES OF MEMBERSHIP

Section 4.1. **CO-CHAIRS.** The Co-Chairs shall manage the business and affairs of the JTBA in accordance with the provisions of these Articles and By-laws. The Co-Chairs shall have the authority to develop strategy, advocate for the interests of the Alliance, coordinate advocacy efforts, host discussion forums, and present information to the Membership.

Section 4.2. **EXECUTIVE COMMITTEE.** Executive Committee Members may participate in high-level discussions with U.S. and Canadian federal government officials, consider and adopt resolutions to be signed by the Co-Chairs, vote on matters presented before them, and advise the Co-Chairs. Executive Committee Members shall be accorded such additional benefits as may be authorized by the Co-Chairs. No Executive Committee Member shall use or refer to the JTBA name or logo without the prior approval of the Co-Chairs.

Section 4.3 **GENERAL MEMBERS.** General Members will be kept up to date on significant events and matters through the website and email. General Members may participate in advocacy efforts but may not use the JTBA name or logo without the prior approval of the Co-Chairs.

ARTICLE V. MEETINGS

Section 5.1. **CO-CHAIR MEETINGS.** Co-Chairs shall meet periodically on an as-needed basis. Each Co-Chair shall receive notice, via email or phone, of any meeting called by the Co-Chairs. Co-Chairs shall have the opportunity to meet electronically. A quorum is not required to hold a meeting, but a majority vote by the Co-Chairs is required for any major decision making.

Section 5.2. **EXECUTIVE COMMITTEE MEETINGS.** Executive Committee meetings may be called by at least two Co-Chairs or a majority vote of the Executive Committee. Written notice of each meeting shall fix the time and place of the meeting and the purpose of such meeting. Written notice shall be given at least seven (7) days before such meeting. Such meetings may be in person or conducted electronically.

Section 5.3 **SUMMIT MEETINGS.** Each Co-Chair and Executive Committee member shall designate at least one person from their Tribe or First Nation to take on the administrative duties necessary to successfully plan and execute JTBA Summit meetings. Once a Summit is scheduled by the Co-Chairs and Executive Committee members, the designated representatives from each such member shall be promptly appointed and then meet and confer to organize such Summit.

Section 5.4. **POLICY STATEMENTS.** Positions on issues taken on by the JTBA shall require the approval of both Co-Chairs from Canada if the issue relates to the Canadian government and both Co-Chairs from the United States if the issue relates to the U.S. government.



Executive Committee members shall be consulted in the development of official JTBA policy statements.

ARTICLE VI. OTHER

Section 6.1. **ORGANIZATIONAL STATUS.** The Alliance is an unincorporated association subject to the governance of the Co-Chairs and the Executive Committee.

Section 6.2. **BANK ACCOUNTS.** The Alliance may establish such bank accounts in Canada and/or the United States to deposit any funds under the control of the Co-chairs. One of the Co-chairs from Canada and one from the United States shall be designated as Treasurers and custodians of Alliance funds.

Section 6.3. **RIGHTS RESERVED.** Participation in the Alliance shall not diminish or limit the sovereignty or self-determination of any participating First Nation or Tribal Nation. Nothing herein shall preclude any Member from engaging in advocacy on JTBA-related issues in their own capacity.

On this 23 day of July, 2023, these Articles of Association and By-Laws are hereby adopted and approved.

Jennifer Porter


Kootenai Tribe of Idaho
Co-Chair



Saint Regis Mohawk Tribe
Co-Chair



Mohawk Council of Akwesasne
Co-Chair



Mohawk Council of Kahanawake
Co-Chair