



WHAT IS THE JAY TREATY AND WHAT DOES IT MEAN?

THE UNITED STATES RECOGNIZES THE JAY TREATY

This means that any Canadian-born Indigenous person that can prove **50% Aboriginal blood quantum** can cross the border freely



CANADA DOES NOT

This means that American-Indians crossing into Canada will be treated like all other non-Indigenous American travellers



The *Jay Treaty* is an agreement that was signed in 1794. It affirms the right of those with 50% blood of the 'American-Indian race' to cross the Canadian-US border without restriction.

WHAT ARE YOUR RIGHTS UNDER THE JAY TREATY?

As a Canadian-born Indigenous person with 50% blood quantum, you are recognized by the Jay Treaty in the United States.

YOU HAVE THE RIGHT TO:



Cross the Canadian-U.S. border freely



Live and work in the U.S.



Qualify for social services and benefits



Register for post-secondary education as a domestic student

YOU DO NOT HAVE TO:



Apply for or obtain a work permit



Apply for or obtain a Green Card



Register for the American military

*** NOTE: You might still be subject to US customs duties

THE U.S. GOVERNMENT CANNOT:

- Deny you entry
- Deny you services
- Deport you



WHAT DO YOU NEED TO CROSS THE BORDER INTO THE U.S?

Under the Jay Treaty, anyone with **50% Aboriginal blood** can cross the border without restriction

AT THE BORDER, U.S. OFFICIALS CAN ASK FOR
ANY OF THE FOLLOWING:

*** THIS IS THE MOST REQUESTED (AND MOST EFFECTIVE) DOCUMENT

A DECLARATION OF BLOOD QUANTUM

A letter issued by either your First Nation or INAC declaring that you have **at least 50% Aboriginal Blood**

If you have trouble obtaining a letter of blood quantum (BQ), you *might* be able to use one of the following instead:

- A copy of your parents' birth certificates proving they have a combined 100% BQ
- A signed declaration made before a judge affirming 50% BQ
- A letter from Indigenous Services Canada stating that your parents and all 4 of your grandparents have status

A VALID STATUS CARD:

Any **valid** version of a Secure Certificate of Indian Status or a Certificate of Indian Status

***NOTE: HAVING A STATUS CARD DOES NOT GUARANTEE BORDER CROSSING

A LONG FORM BIRTH CERTIFICATE:

If you were born in Ontario and adopted, you can apply to ServiceOntario for any missing documentation

If you are transporting **EAGLE ITEMS** you must:

1. Have Indian Status
2. Declare your goods
3. Complete USFWS Form 3-177 (on arrival)

PHOTO ID:

Including a **Haudenosaunee ID card** or an **Inuit Enrollment Card** for Inuit travellers

INUIT, MÉTIS, & NON-STATUS TRAVELLERS:

Because border crossing is linked to **Blood Quantum** NOT status, Inuit, Métis, and Non-Status Indigenous travellers will be asked to prove **at least 50% Aboriginal Blood**. Métis travellers may be asked to provide personal or family histories.

For more information on crossing the border into the U.S. visit:
<https://www.uscis.gov/greencard/american-indian-born-in-canada>