

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

Susan Webber and Jonathan St. Goddard,

Plaintiffs,

vs.

U.S. DEPARTMENT OF HOMELAND
SECURITY; KRISTI NOEM in her official capacity;
and THE UNITED STATES OF AMERICA,

Defendants.

DECLARATION OF WALTER SCHWEITZER

I, Walter Schweitzer, under penalty of perjury declare as follows:

1. I grew up in a ranching and farming family in central Montana, near Geyser in Judith Basin County. My parents homesteaded here in Montana, my grandparents homesteaded on the hi-line, and I've worked on farms in northern or central Montana all my life. I have been involved in international agriculture since the 1980s.

2. I graduated from Montana State University with a degree in Agronomy. I am currently the President of the Montana Farmer's Union, a position I have held since 2019, though I am speaking here from my personal background and knowledge and not as a representative of the Montana Farmer's Union.

3. As part of my work both with the Farmers Union and a Montana farmer and rancher, I interact with both the agriculture community and the Native American community across Montana and Canada. I understand the deep relationships we have with Canada, and the tremendous amount of trade we do across the border.

4. Our agricultural community is deeply connected to Canada. As one example,

some farmers will take their feeder calves across the border for finishing, then bring them back to the U.S. side for slaughter and sale.

5. These tariffs have been random, arbitrary, unpredictable, and the worst thing that could happen to Montana's agriculture and commodity markets. In the past, the Farmer's Union has supported targeted trade tariffs for specific reasons, and worked through the process when they've been used to participate and give public comment and input in how they can be implemented strategically and for our farmers and ranchers best interests. These tariffs lack that same targeting and consideration.

6. These tariffs walloping our agricultural community came out of the blue and are incredibly harmful. No one can plan or prepare. Ranchers typically budget on an annual operating line of credit, and cannot just absorb increased costs of up to or more than 25%. To adjust, Montana's farmers and ranchers will have to adjust within that operating budget, which will play out through reduced seeding, using less fertilizer, or selling off herds that we can no longer afford to feed. The result will be fewer crops harvested, or a massive reduction in the price of Montana beef and farmers flood the markets to make ends meet and continue to feed their herds.

7. Most ranches operated on a thin profit margin, and increased costs to inputs like potash and urea are not going to be able to get absorbed through outputs or higher sales. The recent tariffs are already causing tremendous harm, and that harm will continue if the tariffs are not lifted.

8. In addition to harming Montana's farmers and ranchers by raising costs and reducing profits, it will lend to Montana farmers and ranchers being outcompeted in the global markets. These tariffs will cause Montanan goods to be more expensive on the world market,

and will result in foreign markets being easily able to outprice us for the deal. Montanan farmers and ranchers will be outpriced and lose customers as a result of these tariffs increase the cost of our goods without farmers receiving an additional cent. As a result, Montana's ag community will either have to lower prices to compete in the world market, or risk losing customers. It is common business knowledge that it is cheaper and easier to retain a current customer than it is to attract them back after you've lost them. The low commodity prices farmers are experiencing with the 2024 crop is a direct result of losing market share because of the 2017-2019 trade war.

9. Montana does significant cross border business with Canada's agriculture suppliers. Many farms and ranches are physically located closer to suppliers in Canada than other places in the United States, and in an emergency, it is essential for them to be able to get parts quickly.

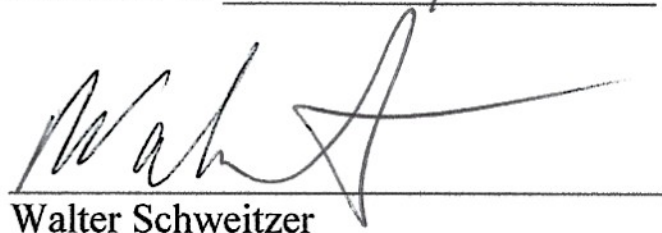
10. There is a significant amount of cross ownership between Canadians and Montanans – that is, Montanan's have family ranch operations in Alberta and Saskatchewan, and the reverse is also true. This is important because it gives these family operations diverse planting and harvest opportunities and timing, which is critical to a revenue stream that keeps family ag operations viable.

11. In effect, the tariffs will impose harsh economic penalties on these family operations, that has harm far beyond the monetary impact.

I declare under penalty of perjury, on this day of April, 2025, that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on

4/4/25


Walter Schweitzer

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
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Susan Webber and Jonathan St. Goddard,

Plaintiffs,

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U.S. DEPARTMENT OF HOMELAND
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Defendants.

DECLARATION OF RYAN HALL

I, Ryan Hall, under penalty of perjury declare as follows:

1. I am an historian of the North American West, focusing specifically on Native American and borderlands history. I have worked and taught in both Canada and the U.S. I am currently in residency at the Newberry Library in Chicago as the Lloyd Lewis Fellow in American History. A true and correct copy of my CV is attached as Exhibit 1.

2. I have written in detail about in the history of the Blackfoot people, and I published my first book *Beneath the Backbone of the World: Blackfoot People and the North American Borderlands, 1720-1877* in 2020. The focus was the history of the Blackfoot (Niitsitapi) people of what is now Montana and Alberta. It told the story of how Blackfoot people used the ancient geography of their homelands to preserve their way of life during the chaotic early years of American and Canadian invasion.

2. The 49th parallel bisected a region that had for countless generations been a cohesive homeland.

3. As traders entered the historic homelands of the Blackfoot people in both Canada and the United States, the Blackfeet intentionally and strategically engaged in trade to optimize their own economic well-being and to ensure their survival as a people in the northwest plains.

4. On May 18, 1823, a Piikani leader named Iron Shirt rode to an American trading encampment along the Jefferson River in what is now Montana and invited them to establish a trading post at the mouth of the Marias River. The eventual outcome was the establishment of an American trading post at the mouth of the Marias River, as Iron Shirt suggested, in 1831, creating lasting American trade competition with the Hudson's Bay Company that was located in what is now Canada. The new trading post was conveniently located for the Piikani and other Blackfoot people to maintain trade on both sides of the international border. This single illustration is one example of the many ways the Blackfeet worked together to organize their trading relationships with the Canadians and Americans coming into the northwest plains.

5. Throughout the 18th and into the late 19th century the Blackfeet continuously traded with outside groups and utilized their relationships with various tribes to optimize their strength. They functioned across the 49th parallel as if there were no border.

6. The Blackfeet used their strategic homelands straddling the border to their economic and political leverage, crossing it internally and using it to their own advantage.

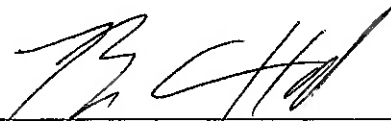
7. Despite the pressures of westward expansion, reduction of land through treaties, disease, and war, the Blackfoot people were remarkably resilient and were able to sustain their culture and homeland, in large part because of their ability to utilize their borderland position effectively.

8. The Blackfoot people traded freely across the border, without limitation and as nations interacting with other sovereign nations.

I declare under penalty of perjury, on this 4th day of April, 2025, that the foregoing is true and

correct to the best of my knowledge, information, and belief.

Executed on 4/4/25



Ryan Hall

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
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DECLARATION OF SUSAN WEBBER

I, Susan Webber, under penalty of perjury declare as follows:

1. I live and work in Browning, Montana, on the Blackfeet Nation. I am an enrolled member of the Blackfeet Tribe. I have relatives and often visit on the Canada side of the border.

2. In November of 2024 I was re-elected to represent Montana Senate District 8, which includes about 20,000 residents. Senate District 8 encompasses the Blackfeet Nation, abuts the border of Montana and Canada, and includes portions of the Confederated Salish and Kootenai Nation.

3. From 2015 to 2022 I was a representative in the Montana State Legislature, representing Montana House District 16, which includes Browning and most of the Blackfeet Nation, and goes up to Canada.

4. My District includes the border crossings at the Piegan/Carway crossing on Highway 89 and the Del Bonita border crossing on Chalk Butte Road on Highway 213.

5. My constituents are members of the Blackfeet Tribe as well as other tribes across Montana. I also represent enrolled tribal members from the Salish and Kootenai tribes on the

western side of my District.

6. My constituents are living and working in an area that cannot afford random, unpredictable tariffs on businesses and personal goods. The costs of living are already high, and housing and childcare are big expenses. The families, businesses, and communities that I represent and live in will be immediately and irreparably harmed by the increased costs of goods from the tariffs that are being universally imposed out of the blue.

7. I represent ranchers and businesses that regularly do business across the border of Canada, importing goods for commerce, for the tribal community, and for personal use, and who are injured by the tariffs in their personal and business lives and in the business that is conducted on the Blackfeet and CSKT Nations. One example is the area at Whiskey Creek where people regularly go back and forth across the border and do business without regard to the border. They will be hurt by tariffs that require them to travel to different ports of entry, and impose charges they have never had to pay before.

8. The people I represent have personal and business relationships across the U.S. Canada border that go back for generations. Goods brought into our communities come across at ports of entry that are exclusively within tribal lands. The tariffs will cause harm through the unexpected increased costs but also through the unpredictable way they are hitting us, making it impossible to plan or prepare. My constituents can't absorb sudden increased costs like this, and it will create a real hardship for many of us, and our businesses. The tariffs will have an immediate, material and negative effect on our community if they are allowed to go into effect.

9. Contracts will be and have been cancelled as a result of the tariffs and the increased costs they are forcing on us. Small, Native American owned and operated businesses, hiring and employing Native Americans to work for them, are critical to our economy. We


cannot afford to absorb a 25% tariff; it has already had severe negative impacts, and those will continue. The random and sudden way the tariffs are being imposed also causes harm, because no one can plan or budget.

10. Contracts to build houses and for other commercial businesses have been cancelled. Those contracts would have brought additional commerce and income to the Blackfeet Nation. Our construction and tourism season is very short, and these tariffs are coming right at the time when we need to be able to lock in pricing and lay out a budget for the season. We are completely caught off guard by the tariffs and the way they are being imposed, and that is hurting our communities. The tariffs will hurt construction and tourism, two of our big incomes, and our communities will experience irreparable harm if they are not stopped.

11. The tariffs have a disproportionate and immediate impact on us. The costs are passed along immediately to customers, who cannot afford to move forward with planned projects, resulting in a direct loss to our community, and an indirect loss through lost wages, lost projects, and lost income from projects that will not go forward.

12. Because of the tariffs, members of the tribal community are losing economic opportunities and business. As a result of not knowing when projects will be funded and if tariffs will continue, employers have laid people off. This is wreaking havoc on my community and creating immediate, irreparable harm. I declare under penalty of perjury, on this 3rd day of April, 2025, that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on April 4, 2025


Susan Webber

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

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Plaintiffs,

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Defendants.

DECLARATION OF JONATHAN ST. GODDARD

I, Jonathan St. Goddard, under penalty of perjury declare as follows:

1. I am a rancher and live and work on the Blackfeet Nation, helping operate my family ranch south of Browning.
2. I am an enrolled member of the Blackfeet Tribe. I have relatives who are part of the Siksiki Nation, in Alberta, Canada, which is part of the Blackfeet Confederacy.
3. I cross the border occasionally to see relatives in Canada. I do not have a passport but go back and forth across the border using my tribal identification card.
4. On March 25, 2025, I had a rim break on my tractor wheel. I needed a replacement right away because we are in the middle of calving and it's crucial that we had the tire rim so we could continue feeding and doing daily chores while in calving season.
5. I called a person from Frontline Ag in Cut Bank to see if they had the part that I needed. They would have had to order one of the two parts from the John Deere warehouse overseas. That would have taken a couple of weeks, and I needed it right away.

6. I called the Medicine Hat Tractor Salvage place, and they found the hub and wheel that I needed to keep working. Medicine Hat is in Alberta, across the border in Canada.

7. The replacement wheel cost \$1,790.00 Canadian dollars. Exhibit 1 is a true and correct copy of the invoice for the wheel replacement part I bought.

8. I drove up to pick it up, and when I was coming back, at the border, border patrol agent Nelson asked me what I was doing in Canada. He asked for the receipt, and I had it on my phone, but that didn't work. At first told me that I might have to go through Sweet Grass, which is over 100 miles away. He then asked if I could send him the invoice. I couldn't get a signal, so then I went into their office where they had a booster so I could get a signal and sent him the email invoice from the Tractor Salvage store.

9. Border Patrol Nelson converted the invoice to U.S. Dollars, and then calculated the tariff for the replacement tractor wheel. What came out of my bank account was \$1,252.89 U.S. Dollars. I'm not sure exactly what amount he was using as a basis for the amount that I paid in Canadian dollars.


10. Border Patrol Nelson then told me the tariff charge would be \$308.77. He said 25% tariff but didn't clarify what the 25% was for or why it was being charged. I paid the \$308.77 that he said I owed for the tariff. Then he gave me a receipt for the payment of \$308.77 for the tariff. Exhibit 2 is a true and correct copy of the tariff charged at the border for the tractor wheel part that I picked up.

11. A tariff of \$308.77 on a part that cost \$1,252 increases my costs substantially and causes me and by ranch financial stress because we won't be able to pass those kinds of costs on. If tariffs continue, the cost from the tariffs will cause irreparable harm to our family's ranch and agricultural business.

12. The unpredictable costs make it harder to plan and prepare. In ranching you have to be able to plan so you can control all the costs that you can, and being hit with this kind of tariff out of the blue while I was on my way back with a replacement part I needed and couldn't find in the U.S. makes it hard to predict expenses. I budget on an annual basis and these tariffs were not part of this year's operation plan.

I declare under penalty of perjury, on this 3rd day of April, 2025, that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on April 3rd, 2025


Jonathan St. Goddard