

# Who Are We?

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How the Western Hemisphere Travel Initiative  
Shows Need for Cultural Education

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A look at the historical and political factors contributing to the inability to the Coast Salish to conform to travel regulations set by the United States government and how to solve this program over time.

In a world after September 11th, securitization has become the primary concern for the United States. This superpower must balance these desires of keeping borders secure with the needs of First Nation citizens. The Western Hemisphere Travel Initiative (WHTI) has made this a difficult task in Washington State. Requiring both United States and Canadian residents to have certain identifications has made it difficult for tribal members to traverse cross-state. Travel restrictions in the United States have brought to light issues concerning the identification process along with cultural differences based upon the traditions and histories of tribal nations. There is currently a myriad of laws pertaining to different tribes, making it even more difficult for those watching the border to know who can leave and who can't come in.

In 2004, the Intelligence Reform and Terrorism Prevention Act (IRTPA) was passed requiring identification documents from anyone leaving or entering the United States. Within this act was the WHTI, which requires documents proving a traveler's identity with a photo to get into the United States (Bureau of Consular Affairs 2011). Those traveling by land over the United States-Canadian border can use their passport, a new enhanced driver's license or Trusted Traveler Program cards such as NEXUS and Global Entry. All of these require a birth certificate and proof of citizenship documents in order to attain (Bureau of Consular Affairs 2011). It would not be until 2010 that air travel and Native Americans were included in these efforts.

The United States was able to work create a deal with Canada to provide easy border crossing for frequent, "low risk" travelers through the numerous

Trusted Traveler programs. The Nexus, radio-frequency-read card is renewed every five years and allows travelers to use a special lane for faster land border crossings. The SENTRI Program is similar to the NEXUS in that it provides faster border crossings through radio frequency and express lanes with a much more through application process including fingerprints and an interview with Border Patrol. Costing \$122.25, people must pay more for this faster way to cross the border. However, all of these express border crossing documents require documentation that many Native Americans cannot provide. This creates an exclusionary process that has strained ties between the United States and many First Nations tribal areas. The Lummi Nation and Washington State have also been having problems creating identification meeting WHTI regulations.

All of the Trusted Traveler Program is limited to those who can provide these documents. Those who are exempt from these rules include children, “closed loop” cruises, permanent residents, military members, sea merchants and small maritime vehicles. Special provisions for Native American tribal members were not initially taken into account. Currently the WHTI provides no alternatives for Coast Salish residents. Only tribes in Montana and Oklahoma have specific passes which are recognized both sides of the border (Hundley 2009). This creates even further animosity within the Pacific Northwest between Canada and the United States as it exposes a weakness in communication which other states have been able to overcome.

The Lummi Nation, located in the northern coast of the Washington State sound is close to the Canadian border and has felt the effects of these initiatives. The Mohawk nation in the eastern United States spans from New York into Quebec, making it difficult for the tribal elders to communicate efficiently (Hundley 2009). The addition of new travel regulations has not made this any easier. As an area of separate sovereignty from the United States, tribal nations do not have identification processes. There are no social security requirements, driver's licenses or passports in this area, which makes it difficult for them to meet the requirements of the WHTI (Bureau of Consular Affairs 2011). Tribal documents containing a recent photo are now allowed, though the vague nature of this amendment can present problems for those who want to cross the border using these documents. United States Customs and Border Control is continuing to work with tribal leaders to create an Enhanced Tribal Card for the northwest region.

To understand the difficulties in implementing identification requirements for travel, the history and culture of the Salish tribes must be understood. Commonly laws and historical events have been carried over orally through elders (Angelbeck 2011). The term "Salish" derives from the name given to indigenous people by incoming traders and today describes twenty-three distinct dialects and cultures within the Pacific Northwest (Washington 2009). The ties to the ancestral areas come from generations of memorizing the area worked by the tribes. There was and isn't an overarching authority for these Native American nations, which means negotiations cannot happen

between just two parties but have to be with every elder. Battles between tribes and creation stories are the most commonly remembered and handed down traditions. Therefore when the Lummi tribe constructed a constitution in 1905, this would be the first written set of commonalities for this nation according to Angelbeck. This marked a huge adaptation to colonial powers traditions and created tension with those who were intent on keeping cultural norms throughout the change.

The signing of this constitution brought another problem. This issue concerned wording and how the Native Americans viewed the land as something not sectioned off in lines. Tribes would fight one another for resources or to gain slaves but never over actual territories. It was believed the land was for everyone and resources along with people were used to assess the wealthy versus commoners (Angelbeck 2011). The closest to a unified state the Coast Salish have ever come is found in a well known story among these tribes. The Battle at Maple Bay was fought between numerous Salish tribes and the Lekwiltok, who had begun a rampant consumption of land areas and were beginning to infringe upon the resources of fellow tribes (Angelbeck 2011). This expansion led to a large and bloody battle between the smaller neighboring tribes who banded together

The largest barrier to the creation of cohesive border policy is the differing identification language the United States and Native American tribes use. The Lummi word for “boundary” refers to a marker or area, not a solid line separating two nations (Angelbeck 2011). A Lummi carver, Simon Charlie,

holds the belief that borders and fences are used by colonial powers to divide indigenous people and overtake their cultural values (Thom 2009). “Kin ties and sharing, he emphasizes, undercut these colonial forces,” (Thom 2009). This lack of historical knowledge of boundaries is seen in how tribes lay claim to land. In British Columbia, Canada, the BC Treaty Commission asks First Nation leaders to lay claim to areas of land. This is done without verifying past usage. The tribes all lay claim to areas that are fertile for farming and do not understand why all of them can share it (Thom 2009).

For tribal nations, land is not something which can be owned, which makes it even more difficult for them to understand why crossing into another state's land requires so much identification. Only through many discussions with tribe leaders were firm boundaries for tribal land created for the Hul'q'umi'num'tribe (Thom 2009). The land had ancient ties to the indigenous tribe and it was difficult to give something a name without making up a new word (Thom). For so long, the land had been simply the earth beneath their feet. Interactions with a bureaucracy to make an area official were an unknown activity before being approached by the treaty commission. The Coast Salish language lacks the words used to describe territories found in the classic Westphalian approach shows why it has been a difficult process to determine how to secure these borders.

Every new decision the United States government wants to put forth must be accepted by the leaders of the many tribes rather than speaking to a single tribal entity to cover all reservations. Often tribe members filtered in and

out of tribal life, being active when they could afford to provide for their neighbors (Washington 2009). Head males of the family would pass down property and ensure the household ran smoothly. Social classes were separated into three distinct groups; high ranking, commoner and slave. Chieftains were elected through hard work and today, there is a representative at council meetings for every 100 people in that area (Washington 2009). The tradition of smaller communities continues today without an overarching national authority. There were wars between tribes for resources but territories were never given exclusive names and it was rare for tribes to expand too far into the land of others very quickly.

Today, each tribal nation is a separate sovereign state. Each state has its own laws and regulations dictated by those within each area. Often these restrictions are determined by heritage rather than identification documents alone. Canadian First Nations members must provide blood analysis results to the Canadian federal government to gain an ID card (Hundley 2009). In order to gain access to this card in Canada, the blood test must prove the person has at least 50 percent Native American blood (United States Citizenship and Immigration Services 2006). No exemptions were given to Native Americans because Congress had passed previous laws, including the IRTPA that included reservations as part of the United States regarding federal laws. Until the case can be brought to court to be overturned, the Native American sovereign states will continue to be automatically part of federal laws, even if further laws are implemented (USCIS 2006).

Understanding how these cultural ties interact and play out in daily tribal governmental gatherings are important to know before policies are implemented. In the past, education was used to teach Native American children how to conform to life outside their tribe in the United States and Canada (Marker 2004). This created a border within a border with states in which “aboriginal people” were expected to stay in the territory cornered off for them. This is counter intuitive to any cultural dialogue to better understand how to make securitization work for all groups within a society rather than just those who agree with the discourse. In fact, these borders have created chasms between the same tribe by separating them from one another (Marker 2004). This causes tension and resentment toward the federal government from these families.

Children are also learning less about their own heritage on tribal lands and more subjects from a very European perspective. This has created a generational gap in which the elders are the only ones who know traditions while the youth are becoming more secularized within their own family homeland (Marker 2004). Children in the United States are given very little cultural background on Native Americans and often presented with a fairy tale concerning pilgrims during Thanksgiving. There is little understanding of Coast Salish laws or culture outside of the reservation, making it likely that many who attempt to communicate with them are not able to understand the core of the problem. This problem is a long history of resisting colonialism by fighting to remain a separate state with long held beliefs which have been passed down

through generations (Marker 2004). Without a solid understanding of the culture and history of the Coast Salish, there will never be an agreement which meets WHTI standards.

In 2009 James Hundley in his master's thesis focusing on the WHTI's effect on the Coast Salish cautioned the effects of the treaty on these people. If the treaties are not agreed upon between the Native Americans, Canada and the United States, the ties between tribal members in these countries could break. This would greatly affect all aspects of an ancient culture which has thrived on tribal marriages and unities for centuries. Until this issue is taken to the Supreme Court, there will be very little done in an effort to create more unity in securitization efforts due to past laws concerning Native Americans (USCIS 2006). The United States and Canada have worked together to create fast travel opportunities such as the NEXUS card so there is hope for the Coast Salish. However, there needs to be a deep overhaul in the understanding on all sides of the border in order to prevent future exclusionary laws.

Education is the greatest asset to combating these problems. Tribal areas should continue teaching children about the world around them while also keeping to values. It is important for the future of Coast Salish to be able to work peacefully with the United States government by understanding the bureaucratic system and how to use it for tribal gain. This would allow a more open dialogue between both sides. It would have avoided the issue of native peoples not being included in the WHTI until years after its initiation.

There also needs to be a dependable way to prove the identity of the Coast Salish. By working closely with tribal leaders, who are historically chosen based on their constituents' respect, is the only way to efficiently do this. Attempts in the past to create a system similar to Social Security in American in which every person is given a unique number have failed because they were seen as a threat to tribal sovereignty. A long history of colonial power abuse in the eyes of the indigenous people makes it a delicate process to work with them to create laws that seem to help the United States' agenda alone.

Discussions over securitization will not be simple and short. The law is looked at in the context of culture and history for Native American peoples, which means there is no simple means to make changes. A group who has not created a word for state territories in the past 15 years will not immediately begin to work with the United States. Currently, a corrupt education system has created animosity from tribal members toward the country their sovereign state resides in by creating generational divides. Solid educational steps toward cultural understanding can solve this problem and help to create a sense of community and safety for everyone within the United States border.

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