

Garden River natives to have own biometric ID cards for U.S. border crossings

By Michael Purvis

Garden River First Nation says it plans to have its own secure identification cards in place by the time strict U.S. passport requirements kick in at the border next year.

With the biometric card, Garden River aims to assuage security concerns in the United States while asserting the First Nation's independence from the Canadian government and without allowing longstanding treaty rights to be trampled, said Garden River Councilman, Blaine Belleau. "We're looking at our history imbedded in this process, long before Canada was Canada, long before Ontario was Ontario, long before Michigan was Michigan," said Belleau.

Garden River announced in February an agreement with Veritec Inc. to license the U.S. company's 2-D VSCode Biometric technology for use in border-crossing 'smart cards.' Belleau said Garden River has approached U.S. officials to iron out what features the cards must have.

However, Kelly Klundt, a spokesperson for U.S. Customs and Border Protection, said there may be a snag unless Garden River plans to work on its card with the Canadian government. She said Customs has offered to work with U.S. tribes on enhanced tribal documents, but is unable to do the same with Canadian First Nations.

"We can only address (U.S. Bureau of Indian Affairs) recognized tribes, specifically because we need to be able to enter into a legal agreement on an enhanced tribal document," said Klundt. Klundt said First Nations have two options:

"They either need to go to their Canadian government to look at options, or they can present an INAC (Indian and Northern Affairs Canada) card," said Klundt.

Belleau said Garden River currently has no intention of asking permission of the Canadian government to create its card, and will push its case with the U.S. as a sovereign entity based on the Jay Treaty.

"Whether (the U.S.) acknowledges it or not, the first moment is when we're denied entry. We'll see them in their court system," said Belleau.

The 1794 Jay Treaty between Britain and the U.S. provides unrestricted travel across the border for First Nations people.

As of Jan. 31, those entering the U.S. by land have been required to present documents proving citizenship and identity. The WHTI will come into full force in June 2009, requiring a passport or other secure travel document when crossing by sea or land. Air travellers already must comply with the passport requirement. Belleau said the cards will play an important role in re-identifying who Garden River members are. "You've got to remember, I'm a North American, I have that right to enter (the U.S.) As a Canadian citizen you don't have that same right," said Belleau. "This deal is between the Anishinabek people and the U.S. government."

Belleau said Batchewana First Nation has signalled its intention to use the same form of identification and he said it is possible other First Nations will decide to follow the same model. Belleau said that since last July he and others have used an Anishinabek Passport, instead of a birth certificate, as proof of citizenship when crossing into the U.S.