

# *The* NATIONAL STRATEGY FORUM REVIEW

An Online National Security Journal Published by the National Strategy Forum

## **Akwesasne: A Complex Challenge to U.S. Northern Border Security**

*By Bree Spencer*

### **Fertile Conditions**

St. Regis Mohawk Reservation (U.S.) and Akwesasne Indian Reservation (Canada), known simply as Akwesasne, is a Native American reservation that straddles 12 miles of the United States–Canadian Border in northern New York State.<sup>1</sup> The geographic, jurisdictional, environmental, and social dynamics of the Akwesasne region create a perfect environment for smuggling. Smuggling represents a challenge to United States security that has not been mitigated by governmental attempts to stem the flow of illicit goods across the porous Akwesasne border.

The jurisdictional quagmire on the reservation has confounded government attempts to secure the region. Akwesasne spills into the municipalities of New York State, the Provinces of Ontario and Quebec, and the federal jurisdictions of both Canada and the United States. The St. Lawrence River bisects Akwesasne, cutting a forty-nine acre swath of water and islands through the reservation.<sup>2</sup> The river is narrow and freezes over in the winter ensuring that smugglers can move with ease year round, using speed boats in the warmer seasons and snow mobiles in the winter.

In addition to the geographical opportunity that Akwesasne provides to smugglers, the economically depressed nature of the reservation and the cultural marginalization of the Mohawk people contribute to the vulnerability of the region. Organized crime groups take advantage of the lack of opportunity, hiring members of the community to turn a quick profit by assuming the risk of transporting illicit items through the reservation.

---

<sup>1</sup> Marsden, William. “Mohawks, Gangs and Tobacco.” *The Montreal Gazette*, April 28, 2009. Available at: <http://www.montrealgazette.com/news/Mohawks+gangs+tobacco/1437136/story.html>

<sup>2</sup> Fennel, Tom, and Phillips Andrew. “Human Smugglers.” *The Canadian Encyclopedia*, 1999. Available at: <http://www.thecanadianencyclopedia.com/PrinterFriendly.cfm?Params=M1ARTM0012044>

## **Challenges to State Authority & Regional Exportation of Insecurity**

The Royal Canadian Mounted Police (RCMP) reports that organized crime groups from both the United States and Canada utilize Akwesasne as a transit spot for smuggled goods and people.<sup>3</sup> Smugglers—frequently members of the Akwesasne community hired by organized crime groups—ferry drugs, people, and occasionally weapons through the reservation between the U.S. and Canada.<sup>4</sup> The commodities most frequently trafficked into the United States through the reservation are hydroponic marijuana,<sup>5</sup> ecstasy,<sup>6</sup> and oxycodone.<sup>7</sup> It was estimated in 2009 that there was as much as thirteen metric tons of marijuana smuggled weekly into the U.S. through Akwesasne.<sup>8</sup> In 2010 the National Drug Control Strategy noted that traffickers are smuggling “multi-thousand quantities” of ecstasy tablets through Akwesasne into the United States.<sup>9</sup> Cocaine and Heroin seizures have also been on the rise in recent years.<sup>10</sup> Human trafficking on Akwesasne territory is less common than drug smuggling but it does occur, as seen in the 1998 bust of a large trafficking ring that brought Chinese and Malaysian immigrants into the U.S.<sup>11</sup> In 2009 an illegal Polish immigrant living in the U.S. was arrested for ferrying three illegal aliens from Akwesasne into New York State.<sup>12</sup>

The goods most commonly trafficked north through Akwesasne are cigarettes, which are in demand due to the high taxes on tobacco leveraged by the Canadian government.<sup>13</sup> Smuggled cigarettes are sold tax free, resulting in substantial savings for the consumer. Cigarettes are

<sup>3</sup> Royal Canadian Mounted Police, 2007. *Canada United States Integrated Border Enforcement Teams Threat Assessment*. Available at: <http://www.rcmp-grc.gc.ca/ibet-eipf/reports-rapports/threat-menace-ass-eva-eng.htm#tphp>

<sup>4</sup> “New York/New Jersey Drug Market Analysis.” The United States Department of Justice, 2009. Available at: <http://www.justice.gov/ndic/pubs32/32784/32784p.pdf>

<sup>5</sup> U.S. Drug Enforcement Administration, 2009. *Statement for the Record – Oversight Hearing to Examine Drug Smuggling and Gang Activity in Indian Country*. Available at: [http://www.justice.gov/dea/speeches/hearing\\_indian\\_country.pdf](http://www.justice.gov/dea/speeches/hearing_indian_country.pdf)

<sup>6</sup> U.S. Drug Enforcement Administration, 2009. *Statement for the Record – Oversight Hearing to Examine Drug Smuggling and Gang Activity in Indian Country*. Available at: [http://www.justice.gov/dea/speeches/hearing\\_indian\\_country.pdf](http://www.justice.gov/dea/speeches/hearing_indian_country.pdf)

<sup>7</sup> McKenzie-Mulvey, Erin. “Effort to Combat Oxycodone Abuse Leads to Federal Indictment and Arrests,” U.S. Drug Enforcement Administration, 2010. Available at: <http://www.justice.gov/dea/pubs/states/newsrel/2010/nyc111210a.html>

<sup>8</sup> U.S. Drug Enforcement Administration, 2009. *Statement for the Record – Oversight Hearing to Examine Drug Smuggling and Gang Activity in Indian Country*. Available at: [http://www.justice.gov/dea/speeches/hearing\\_indian\\_country.pdf](http://www.justice.gov/dea/speeches/hearing_indian_country.pdf)

<sup>9</sup> Office of National Drug Control Policy, 2010. *National Drug Control Strategy*. Available at: <http://www.whitehousedrugpolicy.gov/publications/policy/ndcs10/ndcs2010.pdf>

<sup>10</sup> U.S. Senator Charles E. Schumer, 2010. *Schumer, Gillibrand and Owens Urge DHS Secretary to Address Northern Border Narcotics Trafficking at Upcoming Summit with Canadian Public Safety Minister*. Available at: [http://schumer.senate.gov/new\\_website/record.cfm?id=325860](http://schumer.senate.gov/new_website/record.cfm?id=325860)

<sup>11</sup> MacCharles, Tonda. “Huge Smuggling Ring Not Unique.” *The Toronto Star*, December 12, 1998.

<sup>12</sup> Department of Justice, 2010. *Press Release – U.S. Attorney Richard S. Hartunian, Northern District of New York*. Available at: <http://www.justice.gov/usao/nyn/news/1103-2157-2009522560.pdf>

<sup>13</sup> Public Safety Canada, 2007. *2006-2007 Formative Evaluation of the Akwesasne Partnership Initiative for the Period of January 2002 to December 2005*. Available at: <http://www.publicsafety.gc.ca/abt/dpr/eval/api-apca-eng.aspx>

manufactured in illegal factories on the reservation and shipped north to Canada in huge quantities.<sup>14</sup> In 2008 the RCMP estimated that 90% of smuggled cigarettes in Canada came from Akwesasne, resulting in a loss of tax revenue of up to \$2 billion dollars per year.<sup>15</sup> As with other regions of the U.S. border that experience high trafficking rates, there have been reports of weapons<sup>16</sup> and money being confiscated at the border as crime groups try to smuggle goods and cash back into Canada after making a profit in the U.S.<sup>17</sup>

Within the reservation there is cultural conflict among Mohawk residents regarding the criminal activity of smuggling. The development of groups like Akwesasne Eagle Watch, a grassroots movement of concerned citizens organizing to eradicate the presence of drugs in the community, exemplifies this conflict. The constant presence of drugs and traffickers on the reservation puts Akwesasne residents at increased risk of violence and corruption.<sup>18</sup> In Akwesasne it is easy to see the tangible benefits of working as a smuggler since drug dealers and traffickers flash their profits around the reservation in the form of nice cars or unusually large homes.<sup>19</sup>

Cultural challenges that threaten collaborative efforts between Akwesasne and the relevant governments go beyond the traditional discontent felt by Native American tribes due to a history of forced attendance at Native American boarding schools and tumultuous treaty governance. Akwesasne has dealt with major environmental repercussions resulting from large industrial factories, particularly General Motors and Alcoa, using toxic materials near reservation land.<sup>20</sup> Toxins have seeped into the soil, the ground water and the three major waterways near the reservation, making the fish and wildlife inedible. The site of the former General Motors plant has been designated as an EPA superfund site.<sup>21</sup> The pollution has left a tangible mark on the Mohawk tribe destroying the traditional and economic trade system which was centered on hunting and fishing in the region.<sup>22</sup>

---

<sup>14</sup> “Akwesasne Cigarette Plant Legalizes Operations.” *CBC News*, April 14, 2010. Available at: <http://www.cbc.ca/news/canada/ottawa/story/2010/04/14/akwesasne-cigarette-tarbell.html>

<sup>15</sup> Ibid.

<sup>16</sup> Marsden, William. “Mohawks, Gangs and Tobacco,” *The Montreal Gazette*, April 28, 2009. Available at: <http://www.montrealgazette.com/news/Mohawks+gangs+tobacco/1437136/story.html>

<sup>17</sup> The United States Department of Justice, 2010. *National Drug Threat Analysis*. Available at: <http://www.justice.gov/ndic/pubs38/38661/38661p.pdf>

<sup>18</sup> Office of National Drug Control Policy, 2010. *National Drug Control Strategy*. Available at: <http://www.whitehousedrugpolicy.gov/publications/policy/ndcs10/ndcs2010.pdf>

<sup>19</sup> O’Brien, John. “Feds: Pots Smugglers on Border Territory Sold More than \$700 Million,” *The Post Standard*, 2009. Available at: [http://www.syracuse.com/news/index.ssf/2009/05/feds\\_pot\\_smugglers\\_on\\_border\\_t.html](http://www.syracuse.com/news/index.ssf/2009/05/feds_pot_smugglers_on_border_t.html)

<sup>20</sup> Johnson, Tim. “Border Indian Reservations Sources of Drug Smuggling,” *Seattle Times*, 2010. Available at: [http://seattletimes.nwsourc.com/html/nationworld/2012209920\\_rezdrugs27.html?syndication=rss](http://seattletimes.nwsourc.com/html/nationworld/2012209920_rezdrugs27.html?syndication=rss)

<sup>21</sup> Environmental Protection Agency, 2011. *Superfund Sites – General Motors (Central Foundry Division)*. Available at: <http://www.epa.gov/region02/superfund/npl/0201644c.pdf>

<sup>22</sup> Akwesasne Task force on the Environment.” *Environmental Impacts*. Available at: <http://www.northnet.org/atfe/envt.htm>

## **National and International Responses**

The United States government response to the problem of smuggling in Akwesasne has been varied. The new state-of-the-art border protection governmental complex built just outside of the reservation in 2009 exemplifies U.S. interest in reinforcing security around the reservation.<sup>23</sup> Perhaps the most controversial investment in U.S. security at Akwesasne is the utilization of Predator drones, flown out of the nearby Fort Drum, to monitor the area.<sup>24</sup> The Department of Justice (DOJ) provides grants to native communities, including the St. Regis Mohawk Tribe, to support tribal law enforcement efforts and youth community programs.<sup>25</sup> The DOJ also provides financial training programs for grantees.<sup>26</sup> The U.S. Department of Commerce gave the St. Regis Mohawk Tribe a federal broadband stimulus grant to build computer centers, increase access to the internet, and train reservation residents with the hope of providing greater career and education opportunities in the region.<sup>27</sup> According to the New York State Office for Technology, "...the Tribe administers more than 180 state and federal-funded programs that provide essential programs and services to the Akwesasne community."<sup>28</sup> In addition to providing funds to the tribe, the U.S. Treasury department has sought to mitigate the flow of illegal cigarettes into Canada by granting legal status to two cigarette factories that are located on the U.S. side of the Akwesasne reservation.<sup>29</sup>

Akwesasne has also drawn political attention in the U.S. in recent years. A piece of legislation called the "Cross Border Reservation Drug Trafficking Sentencing Enhancement Act of 2009" has been proposed by Charles Schumer, a Democratic senator from New York. If passed into law, the Act would add ten years to the sentence of any cross-border drug traffickers that utilize Native American land. This proposal is meant to discourage traffickers from taking advantage of Indian reservations which have suffered due to the presence of drugs and crime in their communities.<sup>30</sup>

---

<sup>23</sup> Ouroussoff, Nicolai. "At a Border Crossing, Security Trumps Openness," *The New York Times*, July 26, 2009. Available at: <http://www.nytimes.com/2009/07/27/arts/design/27border.html>

<sup>24</sup> "U.S. Launches Another Drone Plane to Patrol Canadian Border." *CBC News*, June 22, 2009. Available at: <http://www.cbc.ca/news/canada/ottawa/story/2009/06/22/drone-great-lakes022.html>

<sup>25</sup> U.S. Department of Justice, 2010. *Coordinated Tribal Assistance Solicitation – Fiscal Year 2011 Competitive Grant Application*. Available at: <http://www.tribaljusticeandsafety.gov/ctas11/fy2011ctas.pdf>

<sup>26</sup> U.S. Department of Justice, 2010. *Regional Financial Management Training Seminar for Tribal Communities*. Available at: <http://www.tribaljusticeandsafety.gov/docs/rfmts-03102011.pdf>

<sup>27</sup> New York State Office for Technology, 2010. *Federal Stimulus Funds Awarded to St. Regis Mohawk Tribe for Broadband Development*. Available at: <http://readme.readmedia.com/Federal-Stimulus-Funds-Awarded-to-St-Regis-Mohawk-Tribe-for-Broadband-Development/1733151>

<sup>28</sup> New York State Office for Technology, 2010. *Federal Stimulus Funds Awarded to St. Regis Mohawk Tribe for Broadband Development*. Available at: <http://readme.readmedia.com/Federal-Stimulus-Funds-Awarded-to-St-Regis-Mohawk-Tribe-for-Broadband-Development/1733151>

<sup>29</sup> "Akwesasne Cigarette Plant Legalizes Operations." *CBC News*, April 14, 2010. Available at: <http://www.cbc.ca/news/canada/ottawa/story/2010/04/14/akwesasne-cigarette-tarbell.html>

<sup>30</sup> Senator Charles E. Schumer, United States Senator for New York, 2009. *Following the Discovery of the Largest Marijuana Ring in Upstate NY: Schumer Unveils Legislation to Increase Penalties on People who Smuggle Drugs through Indian Reservations*. Available at: [http://schumer.senate.gov/new\\_website/record.cfm?id=320789](http://schumer.senate.gov/new_website/record.cfm?id=320789)

Government response to the issue of smuggling is not limited to the United States. The Canadian Government works with the Mohawk Council of Akwesasne—the governing body for the Canadian side of the reservation—particularly by supporting law enforcement efforts in the region. The year 2002 marked the beginning of the Akwesasne Partnership Initiative (API), which was a funded federal program aimed at increasing the effectiveness of RCMP, Akwesasne Mohawk Police (AMP) and cross-border collaboration.<sup>31</sup> The API also funded the creation of the Joint Investigative Team, a special unit of the AMP which focuses on organized crime. In addition to the API and similar programs, the Canadian government provides grants with varied social aims to the Akwesasne community. One such grant is provided by the Canadian Mortgage and Housing Corporation which awarded subsidy money to build four new housing units at Akwesasne. The intention of the grant is to improve housing infrastructure and provide job opportunities on the reservation.<sup>32</sup>

### **Impact on the United States**

The threat that the Akwesasne border region presents to the United States is real and complex. In addition to goods traditionally smuggled across the border, there is potential for people with aims of a more destructive nature to capitalize on the weakness of this particular region, utilizing the area to transport weapons, terrorists, or other forms of insecurity into the United States. While both the U.S. and Canadian governments are funding programs and supporting security in and around Akwesasne, there is still a lack of opportunity that haunts reservation residents. The challenges associated with the geographic, environmental, and jurisdictional complexity of the reservation have been compounded by the historical and social turmoil of the Akwesasne Mohawks, a mixture of challenges that resulted in a region vulnerable to smugglers and resistant to government intervention.

*Bree Spencer is a graduate student in Public Administration at the Maxwell School of Citizenship and Public Affairs of Syracuse University. She is a volunteer research assistant for the Global Black Spots–Mapping Global Insecurity Program. She is interested in research and policy making focused on combating human trafficking and organized crime.*

---

<sup>31</sup> Public Safety Canada, 2007. *2006-2007 Formative Evaluation of the Akwesasne Partnership Initiative for the Period of January 2002 to December 2005*. Available at: <http://www.publicsafety.gc.ca/abt/dpr/eval/api-apca-eng.aspx>

<sup>32</sup> Canada Mortgage and Housing Corporation, 2010. *Canada's Economic Action Plan Creates Jobs and Improves Housing On-Reserve in Ontario*. Available at: <http://www.schl.ca/en/corp/nero/nere/2010/2010-06-29-1500.cfm>