

**THE NATIONAL CONGRESS OF
AMERICAN INDIANS**

RESOLUTION #SPO-01-043

**Title: Requesting Western Area Power Administration's Recognition of
Energy Planning and Management Program Goals for Tribal
Allocations and to Assist Tribes in Reviewing Tribal Allocations
During Adjustment Periods**

WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, tribal sovereignty and the exercise of jurisdiction on environmental and energy concerns are critical to preserving the health and well being of tribal members; and

the U.S. Department of Energy maintains trust responsibilities with American Indian Tribes; and

the Western Area Power Administration maintains trust responsibilities with American Indian Tribes; and

the Energy Policy Act of 1992 provides for tribal allocations of federally generated hydro power through the Energy Planning and Management Program; and

the Western Area Power Administration has established Energy Planning and Management goals to provide a portion of tribal electric energy demands through tribal allocations; and

WHEREAS, Program's Great Plains tribal allocations provide for the benefits of 61.6 percent in the summer and 55.3 percent in the winter to each of the Tribes; and

the Energy Planning and Management Program's Rocky Mountain Region tribal allocations provide for benefits of 65 percent in the summer and 65 percent in the winter to each of the Tribes; and

the Energy Planning and Management Program's Salt Lake Region tribal allocations provide for benefits of 59.3 percent in the summer and 61.2 percent in the winter to each of the Tribes; and

the Energy Planning and Management Program provides for adjustment periods for new customers at five (5) year increments to be drawn from a 1% resource pool; and

the Energy Planning and Management Program will establish a 1% resource pool for new customers form withdrawal of electricity from existing customers, including tribes; and

it is within Western Area Power Administrator's discretion to adjust Tribal allocations within this adjustment period; and

participating Tribes, under their status as preference customers, assert that the Energy Planning and Management tribal allocation goals were not attained during the initial allocation period.

NOW THEREFORE BE IT RESOLVED, NCAI does hereby request that Western Area Power Administration abide by the Energy Planning and Management tribal allocation goals and provide for allocation shortfalls during the program's adjustment periods; and

FINALLY RESOLVED, that Western Area Power Administration assist all Tribes requesting a review of their tribal allocation as provided by the Energy Planning and Management Program.

CERTIFICATION

58th Annual Session of the National Congress of American Indians, held at the Spokane Convention Center, in Spokane, Washington on November 25-30, 2001 with a quorum present.

Tex Hall, President

ATTEST:

Colleen Cawston, Recording Secretary

Adopted by the General Assembly during the 58th Annual Session of the National Congress of American Indians, held at the Spokane Convention Center, in Spokane, Washington on November 25-30, 2001.