



# NATIONAL CONGRESS OF AMERICAN INDIANS

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### RESOLUTION #SPO-01-043

#### EXECUTIVE COMMITTEE

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*St. Regis Mohawk Tribe*

**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 in our own distinct territories, 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

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

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

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

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**WHEREAS**, 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**, the Energy Planning Management 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

**WHEREAS**, 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

**WHEREAS**, 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

**WHEREAS**, 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

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

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

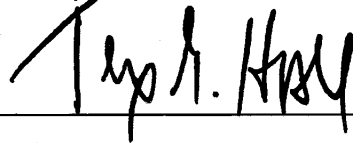
**WHEREAS**, participating Tribes, under their status as preference customers, assert that the Energy Planning and Management tribal allocation goals were not attained during the initial allocation period.

**NOW THEREFORE BE IT RESOLVED**, that the 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

**BE IT 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

The foregoing resolution was adopted at the 58<sup>th</sup> 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 F. Cawston, Recording Secretary

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