

**THE NATIONAL CONGRESS OF
AMERICAN INDIANS**

RESOLUTION #SPO-01-099

Title: To Support a Provision in Final Version of the Nation's Comprehensive Energy Plan to Provide a Hydropower and Wind Energy Plan for the Upper Missouri River Basin That Will Benefit the Tribes in That Region.

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, the Nation's final version of its Comprehensive Energy Plan must address the energy and economic development needs of Indian Tribes throughout the United States, as well as take advantage of the vast energy resources and potential of Indian lands; and

WHEREAS, the House of Representatives already passed its version of the Comprehensive Energy Plan, H.R. 4, which includes certain incentives for generating energy on Indian lands; and

WHEREAS, Senator Bingaman, Chairman of the Senate Energy and Natural Resources Committee, introduced S. 597 on March 22, 2001, as the Democratic Senators' Comprehensive Energy Plan; and

WHEREAS, Senator Bingaman is developing new energy legislation with other Democratic Senators, including Senators Daschle and Inouye, to replace S. 597, which they hope to introduce and pass this session; and

WHEREAS, such energy bill includes an Indian energy title which sets forth certain provisions that will create an Office of Indian Energy Policy; site energy facilities on Indian lands; and encourage the purchase of Indian - owned energy; and

WHEREAS, while it appears that the Senate's new energy legislation will benefit tribes more than the House version, it fails to include a specific necessary provision to harness the abundant hydropower and wind energy potential in the Upper Missouri River Basin, a provision that would provide solutions to the national energy supply problems and promote much-needed economic development for the tribes in the region; and

WHEREAS, in an attempt to harness the energy potential of the Upper Missouri River Basin for the aforementioned reasons, the Oglala Sioux Tribe is proposing an amendment to include in the final version of the Comprehensive Energy Plan which would do, among things, the following:

1. Develop a plan for the Missouri River Basin by the Secretary of Energy, not later than one (1) year after the enactment of the bill;
2. Develop a plan to include purchase of hydropower generating capacity at Fort Peck, Garrison, Oahe, Big Bend, Fort Randall, and Gavins Point Dams, by the Oglala Sioux and/or other Sioux Tribes;
3. Develop a plan to develop, not less than 500 megawatts of renewable Wind Power on the Indian Reservations of the Missouri River Basin, including not less than 50 megawatts of Wind Power on the Pine Ridge Indian Reservation;
4. Establish a fund, known as the Upper Missouri River Basin Renewable Energy Development Fund to finance Indian Energy Projects, such funds to be derived from an increase in the firm wholesale power rates for Eastern Division Pick Sloan, by 3 mills per kilowatt-hour, until deposits in the Development Fund, with repayment of loans from Power Revenues
5. Ensure that fifty percent (50%) of Indian Projects, are financed from grants from the Development Fund, and fifty percent (50%) of Indian Projects are financed from loans from the Development Fund, with re-payment of loans from Power Revenues;
6. Develop a plan for Indian upgrade of hydropower facilities at the Missouri River Dams listed above;
7. Ensure that title to all facilities established and implemented pursuant to the proposed amendment, be held by the United States, on behalf of the respective Tribes.

NOW THEREFORE BE IT RESOLVED, that the NCAI does hereby recognize the vast energy resources of tribes in the Upper Missouri River Basin and that tapping such resources could help solve the Nation's energy supply issue and NCAI recognizes the need for economic development on the Pine Ridge Reservation and other Indian reservations in the Upper Missouri River Basin region; and

BE IT FURTHER RESOLVED, that NCAI, in light of the foregoing, hereby supports the amendment language proposed by the Oglala Sioux Tribe, set forth above, to provide a hydropower and wind energy plan for the Upper Missouri River Basin that will benefit the Oglala Sioux Tribe and other Sioux tribes in the region; and

BE IT FURTHER RESOLVED, that NCAI calls upon Congress and the Administration to ensure that this amendment language proposed by the Oglala Sioux Tribe is included in the final version of the Nation's Comprehensive Energy Plan; and

BE IT FINALLY RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted at 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 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.