

LISA MURKOWSKI
ALASKA

COMMITTEES:
ENERGY AND NATURAL RESOURCES
RANKING MEMBER
APPROPRIATIONS
HEALTH, EDUCATION, LABOR,
AND PENSIONS
INDIAN AFFAIRS

United States Senate

WASHINGTON, DC 20510-0203
(202) 224-6665
(202) 224-5301 FAX

510 L STREET, SUITE 550
ANCHORAGE, AK 99501-1956
(907) 271-3735

101 12TH AVENUE, ROOM 216
FAIRBANKS, AK 99701-6278
(907) 456-0233

4079 TONGASS AVENUE, SUITE 204
KETCHIKAN, AK 99901-5526
(907) 225-6880

851 EAST WESTPOINT DRIVE, SUITE 307
WASILLA, AK 99654-7142
(907) 376-7665

July 29, 2009

The Honorable Byron Dorgan
Chairman
Senate Committee on Indian Affairs
838 Hart Senate Office Building
Washington D.C. 20510

The Honorable John Barrasso
Vice-Chairman
Senate Committee on Indian Affairs
838 Hart Senate Office Building
Washington D.C. 20510

Dear Chairman Dorgan and Ranking Member Barrasso:

As a member of the Senate Committee on Indian Affairs, I am writing to request that the Committee convene a hearing to examine the Native American 8(a) program this fall.

As you know, on July 16, 2009, the Subcommittee on Contracting Oversight of the Committee on Homeland Security and Government Affairs held a hearing entitled, "Contracting Preferences for Alaska Native Corporations." However, the contracting preferences that exist are not just for the benefit of Alaska Native corporations, but Indian tribes, Native Hawaiian organizations, and community development organizations as well.

Furthermore, although Indian tribes and Alaska Native corporations were represented by national Indian organizations, Indian tribes, Alaska Native corporations, and Native Hawaiians themselves that participate in the Native American 8(a) program were not given the opportunity to testify, nor submit testimony for the record. It remains unclear whether the Subcommittee will accept tribal or native corporation testimony for the record.

Additionally, during the reauthorization of the *National Defense Reauthorization Act for FY2010*, Senators McCaskill and Collins introduced an amendment to reform the Native American 8(a) program without proper consultation of the committees of jurisdiction or with Indian tribes. While the 8(a) Business Development Program is under the jurisdiction of the Senate Committee on Small Business and Entrepreneurship, as a matter of federal Indian policy the contracting preferences for Indian tribes share jurisdiction with the Indian Affairs committee.

American Indians, Alaska Native, and Native Hawaiian people live in the most geographically and economically isolated areas of the United States. While appropriate reforms are required to ensure the integrity and accountability of the Native American 8(a) program, the contracting preferences are achieving important economic development objectives and are well worth preserving as a matter of federal Indian policy. Recognizing the unique relationship that exists with our Nation's first peoples, Indian tribes, Alaska Native corporations, and Native Hawaiians need to be consulted before any further legislative action is pursued.

The Native American 8(a) program is a federal Indian program that has provided meaningful economic development within our Native communities. It has worked well particularly in places where Indian gaming has not provided economic opportunity. Respecting the unique relationship that American Indians, Alaska Natives, and Native Hawaiians have with the United States, the contracting preferences in question need to be examined in a manner that is independent, fair, and in the context of the history of Native peoples. I appreciate your attention to this matter and your consideration of my request.

Sincerely,



Senator Lisa Murkowski