BEFORE THE ARIZONA INDEPENDENT REDISTRICTING COMMISSION
FOR THE STATE OF ARIZONA

PUBLIC HEARING
June 25, 2001
6:15 p.m.
Navajo Nation Museum
Window Rock, Arizona

ARIZONA INDEPENDENT REDISTRICTING COMMISSION:
MR. STEVEN W. LYNN, Commission Chairman
MR. JOSHUA M. HALL, Commissioner

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(Public Hearing commences.)
COMMISSIONER HALL: Ladies and gentlemen,
we'd like to welcome you to a public hearing for the Independent Redistricting Commission. And I'd like to go ahead and call this meeting to order. If we could go ahead, Enrique, and close that door, that would probably be appropriate. Welcome. We apologize for the delay in starting. We were originally in the room across the way and immediately realized we would not have enough space. So the late shift has caused a slight delay, and we appreciate your patience in that respect.

It would be impossible for me to recognize all of the dignitaries that are here today, both representatives from the Navajo Nation and from Apache County. But please note that your presence is noted, and I'm sure we'll hear from many of you later on in this evening.

Let me just kind of give you an overview of how we would proceed -- how we would propose that this meeting proceed and see if there are any questions with respect to that and move as rapidly as possible.

We will make a brief presentation. Some of you have had an opportunity to see this presentation. Therefore, we appreciate your indulgence. Subsequent to the presentation, then we will allow for public comment. For those of you, as staff has indicated, who have not had an opportunity to fill out a yellow speaker's slip, I would ask you to provide that to a member of staff or to myself, as I'll be conducting this meeting, so we can then
allow you an opportunity to speak.

Myra Parker is one of the members of our staff, and if you'll catch her attention if you haven't had that opportunity, then we would invite you to do so.

Subsequent to the public comment, then, we will have a brief question and answer period for any questions directly related to the content of the meeting. And then we will conclude. Any questions at all with respect to the format we intend to proceed with?

Therefore, then, if that is all right, at this time, I'd like to introduce Commissioner Steve Lynn, who is the Chairman of our Commission and resides in Tucson and is the Independent member, registered Independent member of our Commission. And this evening, he will, following a few orders of business, be making our presentation to us.

Is the gentleman who's doing translation for us here?

CHAIRMAN LYNN: More than one.

COMMISSIONER HALL: I just wanted to say that we have several translators here, and I think that we need to ask them in Navajo, for those who would like to have Navajo in translation, if you could come forward and ask them that. One of you. Is there anybody else -- can we ask if there's anybody else that needs translation in Navajo, please?
THE INTERPRETER: (Navajo language spoken.)

COMMISSIONER HALL: Is another member of our translating team here, available? I wonder if it would be appropriate -- would you like to sit by this gentleman right here who could provide translation for you? Are you okay, or would you like -- he can sit by you, if you'd like, or -- okay. You'll be fine? And can this young lady here? Over here? Perfect. Thank you. We appreciate that.

I need to state for the record, pursuant to our legal counsel who's here with us, that there are three members in the audience who have requested translation and they have members sitting by them who are offering that service.

Again, ladies and gentlemen, welcome. And with no further adieu, I'll turn the time over to Commissioner Lynn.

CHAIRMAN LYNN: Thank you, Commissioner Hall, very much. Good evening and thank you very much for hosting us in the Navajo Nation. We are very pleased to be here with you this evening. We are going to do a brief presentation. And as Commissioner Hall said, some of you have seen this presentation before. We will do it as rapidly as we can but as clearly as we can, so that everyone who is participating in the process will get the same information.

Next slide. The subject tonight of our
presentation is redistricting, which is the drawing
of new district lines for both the legislative and
the congressional districts in Arizona. But it's
the first time that that has been done under
Proposition 106.

Proposition 106 has a different system of
drawing lines than in the past. In the past, the
legislature has been responsible for creating the
new political districts. But Proposition 106 puts
that charge in the hands of five citizens. And I'll
introduce you to those citizens a little later.
These public hearings that you're participating in
tonight, which have been held all over the state,
are designed for us to provide you with information
about this system. But more importantly, they're
designed for you to provide us information in this
process. We'll be using these hearings to bring
this process to people throughout the state.

At the conclusion of this week, we will
have had these meetings in 23 locations around the
state. And we are going to conclude with a
teleconference this coming Saturday for smaller
communities who are not able to host a full-blown
hearing. We need to share with you our plans, but
more importantly we need to hear from you. We're
determined to make this as fair a process as
possible to achieve districts that honestly
represent the needs of all of the people in the
State of Arizona.
Now, often in the past, this process has been full of divisive processes raising charges of dirty politics, partisan power plays, incumbent protection and racial discrimination. The name for all of these things is gerrymandering, or gerrymandering. In the 1800's, the Governor of Massachusetts, Eldridge Gerry, was accused of drawing, very deliberately, odd-looking districts to protect some of his friends. And the Boston Globe cartoonist depicted his districts in the form of a salamander; therefore, gerry-salamander or gerrymander. And today, we use that term to describe any political redistricting that has a purpose other than equal representation.

Here are some ways that gerrymandering can work. If you have a minority party concentration of voters, whichever party that may be, Republican or Democrat, and you draw lines that bisect or trisect that group, dividing them into very small pockets, you dilute their political power. Conversely, if you take the group of minority voters and pack them into one single district, where the other three districts do not contain any minority voters, you give them one district that they can have influence in, but there are three, then, that they are districted out of in terms of packing them in one district.

This same thing can occur with racial gerrymandering in order to achieve a political result. In the example on the left, the district is
being created that is an ethnic district in the middle of two groups of Republican voters who generally do not get the votes of that particular ethnic minority. In the example on the right, in an attempt to preserve a white Democratic incumbent, that Hispanic community is divided in such a way as the Republicans are shut out of the process. So in either case, it's unfair to one of the groups.

We are following the voters of Arizona in cleaning up that process. That is no longer going to be acceptable in the State of Arizona.

When Arizona voted for Proposition 106 they created the Independent Commission. And this Commission is charged with a new kind of redistricting. Let me introduce you briefly to the Commission and tell you where they're from. Starting with the first person selected, Jim Huntwork is an attorney from Phoenix. He's a Republican, and he was the selection of Jim Weiers, the Speaker of the House of Representatives, who is a Republican.

The second person chosen is our Vice-Chairman, Andrea Minkoff. Andrea, who goes by "Andi" -- so there's one woman and four men on the commission -- Andrea is also from Phoenix. She is a Democrat. She used to own a small business but now is not employed. Her husband is a retired
physician, and she was the choice of Ken Cheauvront, the minority leader in the House.

The third person selected is Daniel Elder. Mr. Elder is a landscape architect and consultant from Tucson, Arizona. He was the choice of the Senate President, Randall Gnant. Senator Gnant is a Republican. Dan Elder is a Republican.

The fourth choice is Joshua Hall. Mr. Hall introduced me this evening. Mr. Hall was the selection of Senator Jack Brown, who is the democratic leader in the Senate. Mr. Brown is from Apache County. Mr. Hall is from Apache County and is a Democrat.

So the first four selections to the commission, two Republicans and two Democrats, two from Maricopa County, one from Pima County, one from Apache County.

The four commissioners were then sworn in, and their job was to interview and select one of the five Independent candidates to be the chair of the Commission. They did so in a public session, and after some deliberation, voted unanimously to select me as the Chairman.

I'm from Tucson. I work for Tucson Electric Power Company. I am a resident of Arizona for 35 years and have been a Republican, have been a Democrat, but have been an Independent for the last ten years, and now, with open primaries, I don't expect to switch again. I'm very happy where I am.

So that is your Commission.
Now Proposition 106 states that the Commission needs to begin this process with the creation of an equal population grid across the state. Let's take a look at some definitions. Proposition 106 has a number of goals that we need to follow. And these goals are set forth in the legislation, and they are in the order that they are -- that they are contained and in the order in which we have chosen to display them.

First and foremost, we have to comply with the Constitution. The U. S. Constitution says, One person, One vote, which means that we need to have, as nearly capable as we can, equal population in each of the districts.

We will try to comply with that down to the last person in the congressional districts because the -- the population of the state is divisible by eight, and so we can have exactly equal districts.

With respect to the legislative districts, we have a little more time and a little more room to do some moving around, but we still have to be almost as equal as we can be. Also, you can see the other things that we need to do. As much as practicable, we have to have geographic exactness. We have to have contiguousness. We have to have boundaries that respect communities of interest. And that's one of the reasons we're here tonight is to learn from you how you view your community of
Sandra Day O'Connor, Justice of the U. S. Supreme Court, used that terminology in a law case, but she did not define it. So we are here tonight to ask you to help us define "communities of interest." We are going to try to respect geographic features, city, town and county boundaries and undivided census tracts as we put our maps together.

We're also, to the extent practicable, going to create competitive districts so that the contest for public office will be vigorously engaged in and hopefully entered into by more and more people. That, we think, is a good thing for the state.

Here are some things that are unique to Proposition 106. There are at least 11 states that have gone from legislative redistricting to the use of commissions. But in Arizona, we do some things differently. We're very different in a lot of ways in Arizona. This is one of those ways.

Party registration and voting data history cannot be used in the initial phase of our work. They were not taken into account, for example, when we produced the original grid. They will be used later, however, to test for compliance with the goals that we just went over. But note that last sentence: "The places of residence of incumbents or candidates shall not be identified or considered."

And what that means is that when we are
finished drawing 30 legislative districts and eight Congressional districts, it is absolutely the case that at least one set of incumbents who used to be in two different districts will find themselves in the same district. It will not be by our choice, and it will not be by our intent, but it will simply happen because we cannot know where they live and cannot take that into account.

We use official census information to do our job. That is also by law. And in April, we received that information. And there are several communities that are challenging the census figures for their communities. However, until the Census Bureau corrects or changes those figures, we are bound to use the information they give us.

Here are some examples of how we have grown as a state. In 1990, there were approximately 3.6 million Arizonans, and by the year 2000, we had grown to 5.13 million. Now, I’d like you to take note of that 3.6 million figure for a moment as we move to the fastest-growing counties in the state.

You will notice that the Maricopa County figure, which grew in the last ten years at 44.8 percent, almost 5 percent more than the entire state grew, is almost the same population as the whole state was in 1990.

So Maricopa County is still the center of population in the state, comprising about 63 percent of the state's population. But all of these
counties out grew the state in terms of their peace.

Navajo, Yavapai, Pinal, Yuma, Maricopa and La Paz Counties all exceeded the state average.

Well, our first requirement is to develop a grid-like pattern, and we've done that. Let's take a look at the definition of a "grid." A "grid" is generally a set of straight lines, right angles, defined shapes, that cover a plane. You might say that these walls, because they are brick and of regular size and shape, would constitute a grid. That kind of an approach is what we needed to do to create the initial grid.

And we did that by choosing some random points on the map to start the process. Please understand that the grid that we show tonight that is available for you to look at is random in its construction. We started at the place where all townships in the State of Arizona start, and then we decided by a luck of the draw to move in one of the four quadrants first. The northwest quadrant was drawn from the hat, and we started accumulating population in that quadrant until we had sufficient population to make either a legislative district or a congressional district, and then we moved to the next set of population figures by township and accumulated them.

We then flipped a coin to see whether or not we should go clockwise or counterclockwise in the state. Counterclockwise won, so we started in the northwest, went to the southwest, southeast and
finally the northwest.

And it was a random starting point to produce the grid as our initial point of departure in this discussion.

Most of Arizona is already divided by these townships. They are six-mile squares. And so let me show you a little bit about how these work. In an urban area like Phoenix, you can get an awful lot of population in one six-mile square. As you move out into the rural areas, you need to accumulate townships in larger and larger fashion.

Next slide please. So we have groups of townships in the rural areas needed to accumulate, again, in a very regular shaped pattern in order to get the kind of population that we needed.

And once all of those were accumulated, then we used the census information to check populations to make sure that we had the right numbers.

Now, the second thing we have to do is hold public hearings. This is one of those public hearings. And, as I said, there have been 23 of them over the course of the last two-and-a-half weeks. These public hearings have a singular purpose. Because we have not drawn any maps yet, we've only drawn a grid, and that was random; these hearings are designed to ask people to supply us
with their ideas of communities of interest.

After the public hearings, we will produce plans. And once these plans are drawn, congressional and legislative maps, they will be available for public review for at least 30 days. During that same 30-day period, the legislature may comment to us through either a memorial or by minority report on their recommendations for redistricting. But their recommendations hold no more weight than yours in that process. Theirs are official from the legislature, but yours are official by virtue of appearing before the Commission in a meeting like this.

We will do a second round of hearings, where we will have maps for you to review, and your comments on those maps will be most appreciated when the time comes.

Once we have established the final maps, we will then have a brief public comment period at the end to make sure everyone has a chance to see them before we submit them to the Department of Justice in the hopes of achieving preclearance. Because Arizona is a state that is required to achieve preclearance from the Department of Justice, we will be doing that and hoping that that preclearance will occur before the end of 2002.

Should we get the preclearance, we immediately send the maps to the Secretary of State, who certifies them and those will be the districts for the next ten years.
Tonight we are asking you to provide input using a citizen's input form that is available outside, and hopefully, you picked one up on the way in. This citizen's input form asks a series of questions.

First, we'd like to know who you are, because we would like to stay in touch with you, and also if there are any questions about your comments, we'd like to get back to you and clarify those.

Next, we'd like you to state in your own words what you think is the most important aspect of this process. There are several communities, for example, which have been divided by legislative districts in the past, just to name a few, Casa Grande, Apache Junction, Nogales; all have either two or three legislative districts within their little community. And some of the things that people have told us are that they would prefer to have a single representative group, one senator and two representatives, rather than being divided up among several legislative districts. So that's the kind of thing we're asking for.

Third, What boundary lines would you like to see us use? If there are boundary lines in your area that you are most familiar with, school districts or others that should be kept intact, then that is very important for you to tell us.

Fourth, What areas, groups or neighborhoods do you absolutely think should not be
divided by the new boundary lines? We need to know what needs to be kept intact so that communities of interest can stay together and have influence on this process.

And then finally, we have a number of questions on the input form and we're asking you to rank these in order of importance to you; things like, keeping the community intact or bringing a particular group together, such as neighborhoods or communities, minority groups or concentrations. Is that more or less important than using man-made or natural boundaries? More or less important than drawing these districts with whole cities included? More or less important than using local government boundaries? More or less important than keeping census tracts from being split? Those are the kinds of things that are on the sheet.

And there are more. Using freeways or major transportation routes. And finally drawing compact and complete contiguous shapes for districts.

There are several ways to get this form to us. The easiest is to fill it out tonight and leave it with us. We'll take it and use it. The next important way to get it to us is you can mail it to us. You can also access it from computer and using www.ezredistricting.org, or you can download that form fill it out online and submit it that way.

If you wish to actually draw some lines on a map as an individual, you may request a citizen's
kit. We have some available this evening, I believe, or you can call the commission or e-mail the commission and we'll get them to you.

If you find that two days from now or three days from now, you didn't think you wanted a kit, but you really do want one, then please, call or e-mail us, and we'll get a kit to you. If you would like one tonight, make sure you get one before you leave.

Here are the mandates. Equal population under the Constitution; the Voting Rights Act; and the Department of Justice preclearance; and the Proposition 106 requirements.

And they are layered. We have public hearings. We will develop plans. We will have more public hearings. Final plans will be developed, and we will submit them to the Department of Justice.

Let me tell you a little bit about the time frame. We expect to have final plans available to send to the Department of Justice early in September. And that means that our time between now and then is most limited.

So we appreciate your being here tonight. We appreciate the Navajo Nation inviting us to come and to host us. And we are delighted to hear what you have to say about this process.

Now, let me turn this back over to Commissioner Hall who will be in charge of the rest of the evening in terms of public comment and our
COMMISSIONER HALL: Thank you, Chairman Lynn. Can we do a little housekeeping here real quick? Can we pull this screen up, whoever could help us do that? And turn that off? Is that button over here? Perfect. Thank you. Thank you.

Just as a reminder, as we do some transition here, we'll do a little bit of rearranging. For those of you who did not get an opportunity to fill out these yellow slips for public comment, we would welcome you to do so, again, at this time. Enrique, we better set this up. I'll leave this microphone here. This one is for amplification, and this one is for recording purposes. So if possible, without getting a neck out of joint, can you talk into both, for those of you that would do that?

Can we also get the lights, please? Can we get a light right here? Thank you. Appreciate that. While we're doing that, let's proceed.

First speaker that we have is the Vice-President of the Navajo Nation, Dr. Taylor McKenzie, please. Dr. McKenzie.

DR. MCKENZIE: Good evening. Good evening to --

COMMISSIONER HALL: Again, Dr. McKenzie, do you mind picking up that microphone right there? Is it on?

DR. MCKENZIE: Testing.

CHAIRMAN LYNN: Perfect.
DR. McKENZIE: Thank you. Thank you very much for coming to visit with us and to present to us the proposal to do some redistricting in the State of Arizona. I am Taylor McKenzie, Vice-President of the Navajo Nation.

(Dr. McKenzie speaks in Navajo.)

DR. McKENZIE: I want to welcome everybody that's present here for attending this important public hearing and for participation. We certainly hope that your participation is energetic and active.

In the matter of redistricting, the redrawing of congressional and legislative districts in this state is very important to all of us as citizens of Arizona. It impacts all of us. It is also very important that the voice of the Navajo people be heard in this democratic process. That is why I am glad to see that the Commission has taken the time to meet with the people of the Navajo Nation and reservation. I would like to formally thank the Arizona Independent Redistricting Commission, which is composed of five members and is chaired by Mr. Steve Lynn.

Finally, I would like to thank the Navajo people who have come out to this hearing.

Specifically, thank you. Please express your concerns and opinions, because this is the most
opportune time that we can take advantage of.

As you all know, the Navajo Nation has approximately 250,000 members, probably more. It is the largest federally recognized Indian tribe in the United States. The Navajo Nation conducted its own census count in one of the most successful and, we believe, accurate counts ever conducted on the Navajo reservation.

According to this recent 2000 census, an estimated 180,000 Navajos reside in the nation. Our own data-gathering capabilities indicated that our count is 181,000. So we are pretty sure that 180,000 is accurate.

The Navajo population is increasing at a rapid rate, of course, and the Navajo Nation is a young nation, as the median age is 18 to 24 years. The land is located on approximately 25,000 square miles or 16.2 million acres. It is approximately the size of the State of West Virginia, as we usually liken it to.

Navajoland is located within the boundaries of the State of Arizona, New Mexico and Utah. Our lands have significant renewable and nonrenewable natural resources, including surface and groundwater, range lands and forests, irrigated farmlands, lakes, fish and wildlife, as well as substantial reserves of coal, oil and natural gas.

The Navajo Nation's central government is composed of three branches. An elected president and vice-president head the executive branch, which
is comprised of 12 executive departments, which are identified as divisions. And we look at them as cabinet-level positions.

The divisions provide a broad range of governmental services to the Navajo Nation members and other residents of the Navajo Nation.

Eighty-eight elected members compose the Navajo Nation Council of the legislative branch.

The legislative branch also contains or consists of various offices and boards, which are administered by the Speaker of the Navajo Nation Council. The judicial branch consists of a system of seven district courts, seven family courts and a Supreme Court. This is headed by the Chief Justice.

One-hundred ten local government subdivisions identified as chapters exist throughout Navajoland. The Navajo Nation's inherent right to self-govern is sacred and is demonstrated through daily governmental actions. All branches of the Navajo Nation government exercise their delegated powers and governmental authority in accordance with Navajo statutory, regulatory and common law.

I wish at this time to thank the Commission for coming and for allowing us to be here. And Mr. Speaker of the Council, Mr. Edward T. Begay, members of the Navajo Nation Council, delegates who are present, thank you very much for allowing me to speak.

CHAIRMAN LYNN: Thank you Dr. McKenzie.
COMMISSIONER HALL: Thank you Dr. McKenzie, appreciate that. I know that you can see us. But we cannot see you. And I did bring my suntan lotion. So we're going to be fine, though.

Next speaker will be speaker Edward T. Begay, Speaker of the Navajo Nation Council.

MR. BEGAY: Thank you, Commission Chair, and also Commissioner Hall and your staff, and all the people that are here this evening for -- to be part of the proceedings under the State of Arizona, the redistricting information and also the proposal that will be taking place.

By way of background, I represent two communities, Church Rock and Bread Springs in New Mexico. Currently, I'm serving as the Speaker of the Council, and also I have by virtue of that, I'm the Chairman of the Intergovernmental Relations Committee of the Council.

I'd like to welcome, again, the Commission, while holding a public hearing in the State of Arizona. And indeed that's a privilege for us as a government, the Navajo Nation.

The Navajo Nation Council is the governing body of the Navajo Nation with its membership of 88 members, elected by chapters, 110 precincts. Under that Council, we have 12 standing committees, which are as an oversight to which the Vice-President described as a cabinet division of the executive branch.
The Intergovernmental Relations Committee of the Council, who’s membership is made out of chairpersons of 11 standing committees. This committee insures the voice of the Navajo Nation to the state government, county government, United States federal government as well as other Indian nation governments.

The Intergovernmental Relations Committee established a subcommittee on the congressional and state redistricting proposal. They adopted a resolution, IGRJA-1-01, which will be in your packet, which would be the plan that we’ll be presenting to the Commission in the public hearing.

I’d like to introduce at this time our subcommittee on congressional and state redistricting subcommittee. We have here with us is Mr. Ervin Keeswood, Sr. He’s the vice-chair.

MR. KEESWOOD: Good evening.

COMMISSIONER HALL: Good evening.

MR. BEGAY: And member Tom LaPahe. Also a member is Kenneth L. Begay. The subcommittee commissioners are authorized by the parent committee to meet with the Arizona Independent Redistricting Commission, not only by the resolution, but after meeting with the Intergovernmental Relations Committee, with the technical assistance from Mr. Ron Faich, Ph.D., our statistician, and the subcommittee reviewed the legislative proposal for the Northern Arizona Congressional District.
On June 22nd, 2001, the subcommittee approved the Navajo Nation's proposed legislative and congressional districts. Those are -- will be presented to you in a packet at this time. After the plan was adopted by the subcommittee, the

Intergovernmental Relations Committee, the Navajo Nation considers the legislative congressional redistricting a very serious matter. In that way, we have a subcommittee, and the staff, we met with leaders in the State of Arizona. Last Friday, we met with the Hualapai Apache president and the council members in Cottonwood, Arizona. In doing so, we were joined by Tom LaPahe, tribe chairperson, Ms. Benson, and also we were in contact by telephone conference with the White Mountain Apache.

And yesterday, the staff and the Commission subcommittee met with the San Carlos Apache Tribe. So we are very pleased and happy to report to the Commission this evening information that these tribes that we made contact with are very supportive, and they are evidenced by a memorandum of support they sent, and they will follow it by their council resolution on the Northern Congressional District, because we feel that it has the most community of interest is what we're pursuing, and we're making contacts with all the entities that are being affected.

In light -- also in line with doing our work, Ron Faich has worked with the Navajo Nation on council redistricting and the state and
congressional redistricting prior. So Mr. Faich will present information specifically on the legislative and congressional district maps as approved by the subcommittee.

Followed with that will be Mr. Frank Seanez, our legislative attorney, to go over the narrative support for the legislative and congressional district. I understand that -- we could draw the maps, but we have to do it in narrative and in English language so that it will all coincide. So we will do it in that way.

Commissioners, we are -- again, I would like to say that we would like to thank the Hualapai Tribe and the Yavapai Apache Nation and the White Mountain Apache Nation and San Carlos Apache for their support, and we provided that -- and we have all intention to deal with the county supervisors, city council, mayors and other entities that runs the election process in various counties.

So we will be busy making contacts to -- in the State of Arizona to get the full support on the Northern Congressional District. So again, I'd like to thank you, and welcome you to the Navajo Nation capital, and I would like to request that if you see fit, please schedule us in the second round of public hearings here on Navajo. You'll be more than welcome in Chinle, Kayenta, again, Window Rock.
and Tuba City. So we'll give you a variety of places.

With that, we're going to -- Mr. Ron Faich and then Frank Seanez. Thank you very much for letting me have the floor to address the Commission.

CHAIRMAN LYNN: Thank you, Speaker Begay.

COMMISSIONER HALL: Thank you, Speaker Begay. Mr. Faich, please. Will you spell your last name for the court reporter?

MR. FAICH: Certainly. My name is Ron Faich, F-A-I-C-H. Members of the Commission, Commission staff, Navajo tribal officials, guests, Navajo people. Yah'a'te. In the last several weeks, we've been working rather intentionally on the proposals that we are presenting to you today, this evening. I've been asked -- should I run through these tabs here? The folders that you were just recently given here a few minutes ago contain a welcome letter from both the President as well as the Speaker.

The second section is a resolution of the redistricting subcommittee of the Intergovernmental Relations Committee of the Navajo Nation Council, giving some background to the work here as well as officially recommending these proposals that we have.

The following pages, Exhibit A and Exhibit B, are rather rough copies of the proposals. I didn't have a good GIS base map at the time that they were originally drawn, and I'll make some
further comments about the maps themselves in just a moment. But certainly, they're close enough in their concept. And they're conceptual. We're not suggesting here that the Navajo Nation would be greatly offended if there was a little fine-tuning. As a matter of fact, there probably has to be some fine tuning, but the concept is clear in both instances of what the Navajo Nation is recommending to the Commission.

In the fourth or -- third tab, I guess, is a narrative explanation of the recommended proposals, the congressional and legislative proposals. There is an overview, a background section, the requirements, our view of the requirements of Proposition 106, the proposed congressional district, a description of it, a map of it; similarly for the legislative proposal, and showing in each instance how they meet the various requirements, that redistricting plans have equal population, compactness, contiguity, etc. That's the longest section.

And you'll find -- at the end of that narrative, you'll find additional copies of the maps, but they're drawn on a better GIS Base, Arizona County Census Division Base Map. And that will give you a better idea of exactly where our proposed districts are.

And then there are color-coded maps of both the congressional as well as the legislative
recommendations, followed in the last section by the
letters from the various tribes that are in support, as of this date, of these proposals.

I'd like to just discuss briefly the proposals that are being made. I'll start out with the congressional district. We have a large map here. I don't know if everyone can see it. Oddly enough, because of the stairway, the Commissioner can't see any of it.

COMMISSIONER HALL: We've got ours here.

MR. FAICH: Okay, you've got copies so you can more or less follow it. As I'm sure you are well aware, the ideal population for eight congressional districts in the State of Arizona, the 2000 census would have a -- each district must have a population of approximately 641,329. And the federal courts mandate that that ideal figure be very closely adhered to.

We are aware and have been aware for many, many years of the sentiment of large numbers of people in Northern Arizona that not all districts should be out of either Phoenix or Tucson. So my conscious effort in drawing this, in attempting to draw it in recommending it to the IGR, was to see if I could get a district in the northern part of the state that didn't reach down into either Maricopa or Pima Counties, to see if we could come close to this ideal population, include most of the Indian nations in Arizona as well as the Northern Arizona communities, Flagstaff, Holbrook, Winslow, Payson,
Prescott, so on and so forth.

And lo and behold, you have it there in front of you. If you take the counties of Mojave, Yavapai, Coconino, Navajo and Apache, and then portions of Gila, a small piece of Pinal and a small portion of Graham Counties, you come up with a 2000 census figure of 641,045 persons. That's 4/100 of 1 percent below the ideal for the eight congressional districts in the State of Arizona.

COMMISSIONER HALL: Can I just ask you one question?

MR. FAICH: Certainly.

COMMISSIONER HALL: I'm assuming that the jog there on Pinal and Greenlee are just to insure the inclusion of the complete San Carlos Apache Reservation? Is that the --

MR. FAICH: That is correct, Commissioner.

That is absolutely correct. This might be a good point at which I want to make a footnote-type remark. Apache and Navajo Counties did not cooperate with the Census Bureau in about 1997 or 1998, in what is called the Block Boundary Suggestion Program, the BBSP. These counties did cooperate with the Census Bureau in 1987 or 1988, in preparation for the 1990 census.

And what happens when a county government -- and the entire country does this -- is that when the new census data come out, when the 2000 census data are released, one of the ways in
which it's aggregated, one of the ways in which it
is released is by precinct.

Now, I can tell you with certainty that
Coconino and Mojave Counties participated, and we
have precinct data available off of the Census
Bureau's website for those counties, and I'm sure
other counties in the state cooperated.

But importantly for us here, obviously,
neither Apache or Navajo Counties cooperated. So I
was really at a disadvantage, I guess you could say.

In the 25-or-so years that I've done
redistricting work, the building blocks that, you
know, you always use, are the precincts. Well, I
didn't have precinct data. I didn't have the time
or the technology, frankly, to develop them. I've
done that sort of thing before, but it's a very
tedious, time-consuming process.

So I did the next best thing. And you
won't see it so much in the congressional proposal
here. You'll see it more in the legislative
proposal that I'll discuss in a minute or so. I
used a subcounty level of aggregation called the CCD
or the County Census Division in drawing those lines
here in Gila and Graham Counties.

If you'll look down at the bottom
eight-and-a-half-by-eleven map, it tells you that in
this instance, in the congressional district, we're
including all of Apache, Coconino, Mojave, Navajo
and Yavapai Counties. In addition, we're including
here the Payson, the Reservation and the Tonto CCD's
of Gila County and the San Carlos CCD of Graham County.

Now, there's that little piece in Pinal County. What I can say to you is that's not a CCD. That's the exterior southwest boundary of the San Carlos Indian reservation. So all of those will be readily known and accessible to your demographers. But at the same time, I know at some point the Commission has to start putting plans in terms of precincts. And these may not exactly correspond to precincts. So we recognize there's some fine-tuning here. But what the Navajo Nation would like to see is these whole counties, plus these CCD's and the San Carlos Indian reservation, as well as the White Mountain Apache Indian reservation and the other tribes whose reservations -- whose homelands are included in these counties. That's the concept. If you add up the numbers by counting CCD's, you come up with that number. That's 4/100 of 1 percent below the ideal.

And this is now an official recommendation of the Navajo Nation to the Arizona Independent Redistricting Commission. Commissioner Hall?

COMMISSIONER HALL: So if we have some questions, for example, with respect to some of the statistical analysis of the population you've represented in your proposed map, would you be the
person we need to ask, or do you want us to ask your
Mr. Seanez? What's your preference?

            MR. FAICH: Whatever.

COMMSSIONER HALL: For example, have you
analyzed the number of Native American population in
this district?

            MR. FAICH: Yes, I have.

COMMSSIONER HALL: And.

            MR. FAICH: Twenty-three-and-a-half
percent.

COMMSSIONER HALL: Okay.

            MR. FAICH: Probably an optimal degree of
citizen influence.

COMMSSIONER HALL: How about Hispanic?

            MR. FAICH: I did not go to other ethnic or racial groups. But given the fact that we're
dealing with whole counties here, that's readily calculable. But as far as your question about
Mr. Seanez, I imagine if you want to call within
state, call Mr. Seanez. I'm sure if he can't answer
the question, he'll say, Call Albuquerque, and
you're certainly welcome to call me.

COMMSSIONER HALL: Certainly we have the
resources. I was just curious as to --

            MR. FAICH: We're about to change our area code, but I'm sure you can figure it out.

COMMSSIONER HALL: Me, too.

            MR. FAICH: Somebody mentioned in the paper the other day that the new area code for
New Mexico should be "911." So -- but I'm sure one
or the other of us can answer any questions.

MR. FAICH: All right. If I could turn then to the legislative proposal, which might be a little bit more visible to you from your vantage point there. As you well know, I'm sure, the ideal population for each of the 30 districts, legislative districts for the Arizona legislature as a result of the 2000 census is 171,021 persons. What we were looking to do primarily is to, as much as we possibly could, retain the boundaries of the current Legislative District 3.

Well, as usual, when you start down the road, you realize you've got some pros and some cons and some reasons to do this and some reasons to do that. One of the disadvantages, we felt, to the current legislative district is the fact that it extends all over there to Mojave County, north of Kingman and Bowhead City. And that didn't seem entirely desirable in terms of the representation and the distances involved and all of that, not to mention the growth of those communities in the past decade. So --

COMMISIONER HALL: Can I ask you another question on this?

MR. FAICH: Certainly.

COMMISIONER HALL: Where the line comes above the Fort Apache reservation? Is Show Low on
MR. FAICH: That line?

MR. FAICH: No. South of Show Low, Pine Top and Lakeside. What it is, Commissioner, it's the Apache --

COMMISSIONER HALL: Reservation lands?

CHAIRMAN LYNN: CCD.

MR. FAICH: Let me tell you how I got it. Fortunately, it's coincidental with the reservation line. That area in southern Navajo County that's included in this proposed district is the Apache CCD of Navajo County. And all the maps I've looked at show me that that coincides -- it doesn't include Show Low, Lakeside or Pine Top, any of those off-reservation communities down there; okay?

And then -- and of course, the White Mountain Apache Reservation extends down into Gila County. I believe it's the Salt River Canyon that divides the White Mountain Apache from the San Carlos Apache. So as you go down further south in Gila County, and again that little knob. And that little knob in Pinal County has no population. It's due east and a little bit north of Winkelman, and it's rather rugged country. I don't have an official 2000 census figure for it, but I can tell you with certainty that the 1990 census found zero people in that little piece of the San Carlos Res that is in Pinal County. But then it extends, of course -- the line then extends over into Graham County and then goes up and ends with the Apache County southern boundary.
That, again, is intended to be the exterior boundary of the San Carlos Apache Reservation.

So what you have here in this proposal -- and by the way, the population added up, using CCDs now, is 172,852, which is within 1.1 percent of the ideal for your legislative districts. And what you have, essentially, is in these -- in this district, the Apache, the Navajo, the Havasupai, a small part of the Hualapai, a small part of the Kaibab, the White Mountain Apache, the San Carlos Apache and the Community of Holbrook.

COMMISSIONER HALL: And the Native American population in that district?

MR. FAICH: Is approximately 76 percent, 77 percent, somewhere in there, about three out of four.

COMMISSIONER HALL: And what's that number about? Do you know the actual numbers?

MR. FAICH: Commissioner, I have it. Let's see if I can get it.

COMMISSIONER HALL: Can you? That's okay. You can get it to us later. That's fine.

MR. FAICH: Okay. But it's about three-fourths of that 172,000 number there, 173,000, give or take. So by virtue of population numbers as defined by the CCD's, by virtue of the other criteria that are mandated in the Voting Rights Act for contiguity, exactness, to the degree possible in
rural Arizona and the like, we believe that these proposals would pass muster, certainly pass Section 5 reviews based on past experience that I've had.

Okay. The population -- thank you -- the

population that I had worked out here of Native Americans in the legislative district turned out to be exactly 135,000; 1, 3, 5, zero, zero, zero. 78.1 percent: That more or less covers my part of the pie here. If there is any questions, I'll be happy to answer.

COMMISSIONER HALL: Thank you. I appreciate it.

MR. FAICH: And if there should ever be questions, staff, technical people, don't hesitate to call.

COMMISSIONER HALL: Thank you, Mr. Faich. Appreciate it.

Next speaker will be Frank Seanez, who is the Office of Legislative Counsel for the Navajo Nation. His last name is S-E-A-N-E-Z; is that correct, Mr. Seanez.

MR. SEANEZ: That's correct, Commissioner Hall.

COMMISSIONER HALL: Thank you.

MR. SEANEZ: Thank you, Chairman Lynn, Commissioner Hall, members of the staff of the Arizona Independent Redistricting Commission. My name is Frank Seanez. I'm with the Office of Navajo Legislative Counsel, and I'm going to be providing
additional information relative to the Navajo Nation narrative document which accompanies the Navajo Nation proposal.

That document, for your reference, is located under tab 2. I know how difficult it is to listen to attorneys drone on, even in the middle of the day or the beginning of the day, so I'll try not to belabor you too much. What I would like to do is to point out some highlights relative to the Navajo Nation's proposal and as more fully set forth in the narrative document.

What we tried to do is to go ahead and address all of the criteria, which are noted in Proposition 106. We did that in order to try to try to bring forth a successful advocacy of the Navajo Nation's proposal, and, quite frankly also, to make this Commission's job just a little bit easier.

What I'd like to do now is to go through those criteria. The Criterion No. 1, Compliance with the United States Constitution and Voting Rights Act, we see as having significant overlap with the other five criteria. It will address, of course, the equal population, as required under U. S. Constitution, Article One, Section Two, and as well the provisions of the Fourteenth and Fifteenth Amendments dealing with voting and the other
criteria noted under the Voting Rights Act and the case law which has followed the Voting Rights Act.

In the Voting Rights Act area, we're specifically concerned with two areas: The Section 2, Causes of action, and Section 5, Preclearance. I'd like to make the statement that the Navajo Nation recommends to the Commission two proposals, the congressional and the legislative district, including the Navajo Nation.

The Navajo Nation's proposals comply with the criteria set forth in Proposition 106 as gleaned from the U. S. Constitution, the Voting Rights Act and the cases. The Navajo Nation maintains that the proposals will withstand both Section 5 preclearance review and scrutiny under Section 2 of the Voting Rights Act.

Relative to the Navajo Nation Congressional -- Congressional District, the Navajo Nation recommends to the Commission the discussion of the equal population factors set forth at Page 5 of the Navajo Nation proposal document, the Equal Protection Clause discussion on Pages 7 and 8, and the requirements of the Voting Rights Act, Section 5 on Pages 8 and 9 of the Navajo Nation proposal document.

Relative to the Navajo Nation proposed legislative district, the Navajo Nation recommends the Commission to the discussion of equal population set forth at Page 11 of the proposal document, the Equal Protection Clause discussion on Page 14 of the
The Navajo Nation recommends that the Commission include the Navajo Nation's congressional and legislative district proposals in its initial map, which is expected to be issued the first week of July 2001, we understand. The reason that we'd like -- that we felt that it was important, as the Navajo Nation, to provide this submission in the detail that the Navajo Nation has at this point is because we believe that the most effective time to -- to have a positive impact on the process in conjunction with the Commission is prior to the issuance of the first -- the first districting map which is laid out. And that is our hope.

The Navajo Nation has received letters of support from other Indian tribes within the proposed congressional and legislative district proposal areas, as well the Navajo Nation will be working with other Indian tribes, counties, municipalities, chambers of commerce and the public in order to gain further support and to demonstrate to the Commission the communities of interest which are included within the proposed congressional and legislative districts.

Relative to Criterion No. 2, relative to equal population, this is addressed through U. S. Constitution, Article One, Section Two. I'd like to
address first the congressional district proposal
with the Navajo Nation's proposal being one of the
of the eight congressional districts. That's
addressed on Page 5 of the Navajo Nation proposal
document.

As noted by Dr. Faich, the ideal number is
641,329 persons. Compare that to the Navajo
Nation's proposal, which contains 641,045 persons,
for a deviation of only .04 percent, well within the
deviation accepted by the United States Supreme
Court and the federal district courts.

As well, in the legislative district
proposal, this proposed district to be one of
thirty, it's addressed on Page 11 of the Navajo
Nation proposal document. The ideal number is
171,021 persons.

The Navajo Nation proposal is 172,852
persons, a deviation of 1.1 percent. Now, here
we're dealing with a legislative district,
districting in which the United States Supreme Court
and the federal district courts have allowed an
additional amount of leeway, as addressed more fully
within the proposal document. And this deviation of
1.1 percent is, again, well within the deviation
accepted by the United States Supreme Court and the
U. S. District Courts.

COMMISSIONER HALL: Go ahead. I'm sorry.

MR. SEANEZ: Mr. Hall.

COMMISSIONER HALL: Well, as noted in your
document here, you've been to several of our
meetings, and as I recall, you were at Flagstaff. At that meeting, I understand you heard the wishes with respect to both of your proposed districts of the Hopi Tribe. I was wondering if you wouldn't mind, for our benefit, to comment, from a legal standpoint, given your knowledge -- which I assume is relatively extensive -- of the 1990 process with respect to that particular issue and give us your comments on that matter, please.

MR. SEANEZ: Yes; thank you.

Commissioner Hall, members of the Commission, the Navajo Nation was not at -- was not able to successfully intervene in the -- in the redistricting litigation which led to the districting plan in the 1990's. The -- the Hopi Tribe, it's my understanding, was a -- was a plaintiff within that action, and the Court, absent objection by the other plaintiffs, did adopt a districting plan which separated out the Hopi Tribe and a portion of the Navajo Nation as a Hopi corridor to an alternate district, other than the one which contained the Navajo Nation.

As Commissioner Hall correctly noted, in -- at the July 19th public hearing of the Commission in Flagstaff at the Northern Arizona University, Chairman Wayne Taylor, Jr. of the Hopi Tribe did provide input to the Commission that the Hopi Tribe, or at least he, as a representative and individual member of the Hopi Tribe, requested that
the Commission place the Hopi Tribe outside of the congressional and legislative districts, including the Navajo Nation.

We don't believe that that is -- that that would be an appropriate action by the Commission for a number of reasons. First of all, the inclusion of the Hopi Tribe within -- within a single legislative district, a single congressional district, will insure that there is no retrogression as far as the inclusion -- as far as the Native American voting strength goes, and, as well, the voting strength of the Hopi Tribe.

In fact, we believe that their voting strength will be maintained and even strengthened by -- by being contained both in the proposed Northern Arizona Congressional District as well as the Navajo Nation proposed legislative district, which would, as well, include members of other tribes.

We understand that the -- that the recent legal history between the Navajo Nation and the Hopi Tribe has been -- has been fraught with difficulty. However, we believe that there are communities of interest which go far beyond the current legal problems and past recent problems between the Hopi Tribe and the Navajo Nation, that there are far greater commonalities between the needs, the desires of -- of both the Navajo and Hopi as well as the other tribes, which -- which speak against a segregation of Hopi in a separate legislative
district or congressional district.
    As well, there is an additional problem which remained unaddressed in the 1990's litigation, and that is the splitting of the Navajo vote.

    In order to allow a Hopi to be connected with an alternative district, there had to be a corridor cut out of Navajo land which is inhabited. And it involves the splitting of Navajo votes.

    And the Navajo Nation is very much concerned about the -- about the maintenance of such a situation. The Navajo Nation has been -- has been active in trying to contact the Hopi Tribe through correspondence and from Navajo Nation Council Speaker Edward T. Begay, to Hopi Tribal Chairman, Wayne Taylor, requesting that a meeting be set up, or the first in a series of meetings between the Navajo Nation and the Hopi Tribe, to attempt to -- to get Chairman Taylor and the other members who provided input as well as the Hopi Tribal Council, to consider favorably the placement of Navajo Nation and Hopi Tribe in a congressional district and legislative district. Commissioner Hall, have I addressed your question?

    COMMISSIONER HALL: Yes, sir. Thank you.

I just wanted to make sure that we had your perspective relative to, as you know, this complex
issue of record. So thank you very much.

MR. SEANEZ: Thank you, Commissioner Hall.

Members of the Commission, the Navajo Nation will be -- will be staying engaged with both the Commission as well as -- as other -- as other Indian tribes, as mentioned, representatives of other sovereigns in order to try to bring, as much as possible, recommendations of consensus and not division before the Commission.

CHAIRMAN LYNN: Mr. Seanez, one other question. In looking at the proposed legislative district in particular, Dr. Faich mentioned that the Native American population within that district is 78-plus percent. Would you offer an opinion relative to -- and again, using the examples that were in the presentation this evening and the concept of packing versus dilution, would you at least address that with respect to the relative value of having that percentage of Native American population in a single district as opposed to having representative numbers of Native American population in more than one district in Northeastern Arizona, which might afford you even more representation in the State legislature?

MR. SEANEZ: Thank you, Chairman Lynn. We have considered that matter, and we very firmly believe that the Navajo Nation's legislative district proposal is not indicative of packing, first of all. I want to get that out on the table. And as well, we think that it should be noted, as
you're aware, that -- that mere population numbers
are not the bottom line.

What we're also looking at is voting
strength. And the Navajo Nation population is very
young, and probably in excess of 50 percent of the
Navajo population is under voting age. So we're --
there probably needs to be additional statistical
information provided to the Commission. And the
Navajo Nation will be providing supplemental
information to the Commission as well relative --
relative to the matter of -- of voting age
representation within the proposed district.

CHAIRMAN LYNN: Thank you, Mr. Seanez.

MR. SEANEZ: I'd like to continue on with
Criterion No. 3, unless there's another question.

COMMISSIONER HALL: Let's stay with the
same question. Do you have any idea what percentage
of Native Americans consisted in Legislative

District Three in 1990?

MR. SEANEZ: I don't know offhand,
Commissioner Hall. But we will provide that
information in our follow-up communication with the
Commission.

COMMISSIONER HALL: Please.

MR. SEANEZ: Thank you. Addressing
Criterion No. 3, that districts be geographically
exact and contiguous as practicable. Addressing the
Navajo Nation congressional district proposal, it's
addressed on Page 6 of the proposal document. And
contiguity, as we understand it, and as it has been
discussed in recent federal case law, admittedly,
within the Tenth Circuit, not the Ninth Circuit,
although we do think it's convincing, "contiguity"
means no part of one district may be completely
separated from any other part.

And just a glance at the Navajo Nation
Congressional District proposal shows that it meets
the contiguity criterion.

Exactness is always a difficult problem
when you're dealing with large areas of land, with
sparse population, especially when that is combined
with a -- with an area of the -- to be redistricted
which has a very high population. The effect that

that has had is in pulling down the line for the
Northern Arizona district pretty far down through
state.

However, we believe that any lack of
exactness can be -- can be easily addressed because
of the -- because of the conditions we have in land
area and population. And as well, that they're very
much balanced out by the community of interest
factor as well.

The -- I'd just like to note that the --
that exactness and contiguity is addressed at
Page 11 of the Navajo Nation proposal document as
well.

One of the main strengths of the Navajo
Nation proposal is with regards to Criterion No. 4.
Mr. Seanez, can you then, with respect to legislative district, maybe elaborate on the issue of exactness with respect to your proposal?

MR. SEANEZ: Yes. Commissioner Hall, if you will refer to the -- refer to the map of the proposed legislative district, you'll note that it covers portions of Graham, Pinal and Gila County in areas where there is very sparse population and where we're talking about the land base of an Indian tribe, the relatively sparse population, large area. Apache County, as well.

What the Nation tried to do as much as possible was to include entire counties as opposed to the congressional -- the congressional district proposal, the only one that we could work out with them was Apache County. As well, both Apache and Navajo Counties, as with pretty much the remainder of the northern half of the State of Arizona, has sparse population.

So what -- what we tried to do in the legislative proposal is to make it as exact a -- as exact an area as possible while maintaining what we consider to be extremely important communities of interest. If there is more information that the Commissioners would like relative to that, again, we -- it's the intent of the Navajo Nation to remain very much engaged with the Commission, and we'd be happy to provide, in writing, any further information which the Commission may require or deem
COMMIS SIONER HALL: Thank you.

MR. SEANEZ: Thank you. Moving to Criterion No. 4, communities of interest relative to congressional district proposal. The Navajo Nation community of interest is highlighted on Page 2 and 3 of the Navajo Nation support document, where there is a brief and nonexclusive description of the conditions affecting the Navajo Nation as well as Pages 6 and 7 of the Navajo Nation proposal document.

There are some things that we'd like to stress about the communities of interest affected by the proposed Northern Arizona Congressional District.

The conditions which affect the Navajo Nation in Apache, Navajo and Coconino Counties also affect the remainder of those counties as well as Mojave and Yavapai Counties. The Navajo Nation congressional district proposal speaks to the needs for a northern congressional district to serve the interests of these largely rural communities.

The Navajo Nation has been present at the Commission's public hearings on the Fort Apache Indian Reservation on June 18th, 2001, and in Flagstaff on June 19th, 2001, and heard repeated calls for a northern congressional district.

The Navajo Nation's proposed congressional district addresses the concerns put forth at these Commission public hearings, including the inclusion...
of portions of Gila and Graham Counties, where that has been necessary to include other Indian nations along with the Navajo Nation in such a congressional district.

As well, as has been noted previously for the Commission, the Navajo Nation has received letters of support from Yavapai, Prescott, Apache Tribe, San Carlos Apache, Hualapai and the Commission, at the June 18th, 2001 hearing, received a written statement as well as a council resolution from the White Mountain Apache Tribe relative to the matter.

Moving to the legislative district proposal, the Navajo Nation community of interest is highlighted again on Pages 2 and 3 and on Pages 12 to 14 of the Navajo Nation proposal document. The conditions which affect Navajo Nation and Apache Navajo and Coconino Counties also affect the remainders of Apache and -- and Navajo County in those areas included, as well as Coconino, Gila, Graham and Pinal Counties, those portions contained within the proposed legislative district. As well, the Navajo Nation legislative district proposal speaks to the need for a northern and eastern legislative district to serve the interest of these largely rural communities.

The Navajo Nation was present at the
public hearings at Fort Apache Indian Reservation and in Flagstaff, and heard calls for representation of eastern counties within the legislative district and, as well, in the north, specifically calls were made to rural representation. And we believe that the Navajo Nation proposal very much addresses those concerns. Again, the Navajo Nation points to the support which it has received thus far within days of the adoption of its proposal.

We believe that the community of interest criterion weighs very heavily in favor of both the Navajo Nation congressional and legislative districts.

Moving to Criterion No. 5, that the districting be based on visible geographic features, political boundaries and undivided census tracts as much as is practicable. The Navajo Nation congressional district proposal is -- it addresses this on Page 3 of the proposal document, the description of proposed congressional district, Pages 5 and 6 as well.

The Navajo Nation congressional district proposal contains the entirety of Mojave, Yavapai, Coconino, Navajo and Apache Counties, as well as observes those political boundaries on a county basis. As well, it would include the Payson, the Reservation and Tonto County Census Divisions, CCD's, of Gila County and San Carlos CCD of Graham County. This addresses the criterion relative to undivided census tracts.
As well, it includes the Navajo Nation, Fort Apache Indian Reservation, the White Mountain Apache, San Carlos Apache Reservation, Hopi Reservation, including Moenkopi and all the Hopi partition lands, land basis of Havasupai, portions of Hualapai, portions of Kaibab Paiute, Camp Verde, Fort Mohave, Tonto, Yavapai, Prescott and Zuni Pueblo. So as well, it respects the political boundaries not only of cities and counties and towns but also of the Indian nations, which we believe is extremely important.

Moving to the legislative district proposal, it's addressed both on Page 3 of the Navajo Nation proposal document and the description of proposed legislative district, Pages 9 through 11. The legislative district contains all of Apache County, portions of Graham and Gila Counties within the San Carlos Reservation, a portion of Navajo County within the Navajo Nation Reservation, the Hopi Reservation and Fort Apache Indian Reservation, portions of Coconino County, which include portions of the Navajo Nation and the Navajo Yavapai Reservation, the Kaibab and Hualapai County Census Divisions, the CCD’s of Coconino County and the Payson Reservation, Tonto CCD’s and San Carlos CCD of Graham County. Undivided census tracts are included as well.

As noted previously, some of the glitches in the current districting plan is the division of
certain municipalities. Another one that was noted
within the -- at the Flagstaff public hearing was
Sedona. The Navajo Nation legislative district
proposal divides no municipalities. It includes the
Navajo Nation, Fort Apache Indian Reservation, San
Carlos Apache Reservation, Hopi, including Village
of Moenkopi and OHPL and the Zuni Pueblo.

Addressing Criterion No. 6,
competitiveness, that's kind of a tough one to get
off the -- off the block on in such a short amount
of time. However, the Navajo Nation maintains that
its proposed congressional district and legislative
district proposal will promote competitiveness.
The Navajo Nation will provide additional
materials supporting the competitiveness of the
Navajo Nation proposals as the process develops.

That's the -- you know, they say that
attorneys can't be brief, and that's the briefest I
possibly could be for a 14-page document,
Commissioners, and I'll be happy to try to address
any questions.

COMMISSIONER HALL: Mr. Seanez, we
appreciate that. Do you have any questions?

CHAIRMAN LYNN: Thank you, Mr. Seanez,
very much.

COMMISSIONER HALL: Thank you for your
input. Speaker Begay, did you have any additional
comments prior to moving on or --

MR. BEGAY: Mr. Chairman, Commission
Chairman and Commissioner, I think we tried to be as
thorough as we can and make sure that what we're saying verbally is also written down so that it would be very easy for your -- your legal people and other Commissioners to follow.

So that's the reason why we chose to make the presentation in this way for the Navajo Nation, and we appreciate the time that you extended to us. And again, I'd just like to, before I turn the floor back to you, I'd like to give you something that you -- just to remind you that you visited the Navajo Nation here. Mr. Chairman, Commissioner.

CHAIRMAN LYNN: Thank you Mr. Begay.

COMMISSIONER HALL: Thank you, appreciate that. Thank you.

MR. BEGAY: This one is for staff attorney. So --

COMMISSIONER HALL: He needs the coffee, so --

MR. BEGAY: This is for the other lady.

COMMISSIONER HALL: For Myra. Thank you very much.

MR. BEGAY: Thank you, Commissioners.

COMMISSIONER HALL: Thank you, Speaker Begay. Please.

MR. FAICH: Commissioner Hall, in regards to a question you asked Mr. Seanez about the Hopi, you may not be aware of this, but in the mid '80s there was a big controversy over the districts for the supervisors in Navajo County; about 1985, I
believe it was. And during that period of time, we
were able to get a resolution, a joint tribal
resolution passed by the Navajo, the Hopi and the
White Mountain Apache. And that went to the U. S.
Department of Justice under a Section 5 preclearance
review and was successful.

The request, the mutual request of the
three tribes at that time was adhered to and agreed
upon by the U. S. Department of Justice. I just
bring that up because there are instances where, in
intergovernmental matters, the Navajos and the Hopis
have, in fact, cooperated. And when you think about
what state government means for people up here, it's
primarily schools and roads. And I think it's -- it
just extends the difficulties that the Navajos and
Hopis have had to say that they can't even agree on
roads and schools.

And one other thing I want to make -- one
other point I want to make, I started out talking
about Apache and Navajo Counties not cooperating
with the Census Bureau with regard to precinct
boundaries. I brought this up before with the
Commission when we were meeting at the Navajo Inn a
couple of weeks ago.

I would very much like to see this
Commission recommend to the legislature that it pass
regulation to require all counties in Arizona to
cooperate with the Census Bureau so that we all have
precinct data right at the very beginning when this
process begins in another ten years. Thank you.
COMMSSIONER HALL: Do you think you could get us a similar resolution dated today?

MR. FAICH: I'm willing to try.

COMMSSIONER HALL: Great; that would make our lives easier.

MR. FAICH: If the people for whom I work say, Go ahead and do it, I'll do it. I'll try. I drove from here to Kaikotsnapi (sic) to White River to get the signatures of the three chairmen at that time. And I know I have a copy of it, in my files at home.

COMMSSIONER HALL: Thank you for your input.

Next speaker is Senator Jack Jackson.

SENATOR JACKSON: Good evening, Chairman, and Mr. Hall, Commissioner. For the record, my name is Jack C. Jackson, presently a State Senator from legislative district No. 3. The redistricting have been the responsibility of the state -- state legislature for a number of years, and you-all know that. And usually, it was with the majority -- majority caucus, the leadership, the majority caucus.

And they have been highly criticized last 17 years that I have been there. They were accused of being insensitive to the minority group in the State of Arizona. Also they were accused of being
partial and abuse of power and to make sure that their own people get back in the state government or the state legislature. This was the accusation that we heard all the time.

Of course, I'm not a member of the majority for a number of years. I am now. Now they gave it to a new commission who (inaudible) at all, because I voted for Proposition 106, thinking that what we have now, the way it is now, will be maintained.

But as I look at your proposal, I was disappointed, because what's happening here is you're being insensitive to the Navajo Nation also by dividing them up, both in congressional and in legislative districts: We have been fighting for to become self-sufficient in the Navajo Nation. And we have a long ways to go. The only way we can achieve it is to maintain our sovereignty.

By "sovereignty," I mean we intend to have the control of our Navajo Nation. And most of our constituency are from the Navajo Tribe, because if you divide the districts into two, you place very limited -- you place limitations on the sovereignty of the Navajo Nation. We lose our voting power. So that's why I'm opposed to your proposal.

I have introduced a bill this past year along with my friend, Senator Jack Brown, to form a study committee to study the relationship between the Navajo Nation and the State. And this bill passed. And we're getting ready to set to hear some
What good does that do us if our legislative district and congressional district continue to be divided? It doesn't do us any good.

So I'm here -- this is the first time I saw the Navajo Nation proposal. I'm very much in favor of it, not because I want to continue to be a State Senator. I'm almost near the end of my term limit. So I'm looking forward to have some other people.

And I wish you would reconsider your proposal. And perhaps I think the Navajo Nation proposed a lot better than yours. And Senator Jack Brown came to me at the time when this Commission was being formed. And he said to me, "Mr. Jackson, I have a man up there in St. Johns who I think would do a good job for us up there in Northern Arizona."

I said, "What is his name?"

"Mr. Hall. His job, I think, it's going to be to keep the Navajo Nation intact. Is that what you want?"

I said, "Yes, that's what I want."

So I gave my blessing to his proposal. I want to thank you for coming up here, get you out of that hot weather over there, bring you some fresh air, nice, clean air, which you don't have in southern Arizona. Thank you.

COMMISSIONER HALL: Thank you, Senator Jackson. We appreciate your comments. Appreciate you being here. Let me just say with respect to one
comment, this Commission has yet to make a proposal. The initial grid was merely a product of computer mathematical aggregation, as we were required to do as stated in the presentation, pursuant to Proposition 106.

Based on your input and input we're receiving across the state, within a month, we will, hopefully, have a proposal. And then you can come back with your guns loaded and --

SENATOR JACKSON: Arrows.

COMMISSIONER HALL: Well, sorry; right. I'm the cowboy. I apologize.

CHAIRMAN LYNN: Weapon of choice.

COMMISSIONER HALL: Whatever your weapon of choice is. Bring your quiver full, if you will, and then we will be more than happy. But realize that the initial -- we have problems with the initial grid also, and thus, we're here to receive input in an effort to more appropriately draw up those lines.

So I want to just make that clarification. We appreciate your input.

SENATOR JACKSON: All right. Thank you.

CHAIRMAN LYNN: Thank you.

COMMISSIONER HALL: Next presenter is James Henderson, Jr.

MR. HENDERSON: Good evening, Chairman.

CHAIRMAN LYNN: Mr. Henderson, if you'd pick up the other one.

MR. HENDERSON: Good evening, Chairman
Hall and Commissioners and ladies and gentlemen. I want to share a few thoughts with you this evening. I'd like to question the Commission, the Commissioners. You were selected by the Arizona state legislature by the leadership. I wonder how much influence you got from those people if you draw both legislative -- to draw legislative and congressional districts. Those are pretty powerful people that selected you. And I hope -- and I hope both congressional and the legislature don't influence you in any way.

And our leaders has spoken here this evening, what they want. However, one thing that our leaders should never hold public hearing across the Navajo Nation for have our input to get their position known here this evening. And I would advise them to do that before they come before you here.

But I do concur what they said. I think the Navajo Nation should have their own congressional district. I said that when I was an Arizona State Senator. I don't know for how many years, we should have -- I think it's justified. If it's not justified in numbers, I think to include other Indian tribes.

I know the congressional people have a big say, but we want representation, because of our culture and then our needs. We have a great need. We want 100 percent or 200-plus representation from
the Indian tribes.

I know we do deserve this, for a long time. For a long time, there was no representation in the Arizona State Senate, until when we start speaking out. I'm pretty sure you heard my name so many times, I made so many floor speeches on this.

So I hope you listen to our people here tonight and our leadership. And also my brother, Jack Jackson. I'm pretty sure he wants to be elected ten more times until he's 99 years old.

Thank you, Commissioners.

CHAIRMAN LYNN: Mr. Henderson. Thank you very much. I want to make just a brief comment. Your concern about the Commissioners acting independently, as you know, four of the Commissioners were selected by legislative leadership. I was chosen by our five Commissioners. I want to speak on their behalf and tell you that from the beginning of our deliberations, I have not seen anything but independent action on the part of all four of them.

And I trust that will continue. We all believe we are working for all of the people in the State of Arizona, not for a few, not for a select group, not for any leadership, but for all of the people. And we will continue to do that. And we appreciate your concern about that.

COMMISSIONER HALL: Thank you, Chairman Lynn. Thank you, Mr. Henderson.

Let me just say, and break the monotony
for a second. This that I'm wearing has to be a product of my ancestors. And certainly, this is a product of much smarter ancestors, because this is a lot more comfortable. So is it okay if I wear this the next time I come? I appreciate that.

CHAIRMAN LYNN: I will, too. Thank you very much.

COMMISSIONER HALL: Very nice, very generous, very gracious.

Our next speaker is Percy Deal.

MR. DEAL: I keep saying that I will be a millionaire for every piece of paper that I was given, also attached to it was a dollar bill.

Commissioner, I really do appreciate you being here. I join the Speaker and the President's office in welcoming you to the Navajo Nation. I'd like to introduce myself, Percy Deal. I'm a resident of the Big Mountain on the Navajo Reservation. I also serve as a member of the Navajo County Board of Supervisor, serving and representing not only the Navajos but the Hopis, the White Mountain Apaches, the Anglos, the Hispanic, the Black, and the Asian Americans. So we're no strangers in representing other races. Most of the agenda on the board are taken up by Native --

non-Native American issues. I've been sitting on that board since 1982.
It's every other meeting -- we normally meet the first three Mondays of each month. And it's every other meeting that we would be given a proposal from either the Navajos or the Hopi or the White Mountain Apaches for consideration.

There are five districts, five supervisorial districts in Navajo County, and each electing their own board member. There are two Native American out of five that sits on that board.

I'd like to express my support, my very strong support for the proposal that's been submitted by the Speaker and the President and the Navajo legislator, Dr. Ron Faich. I think he did a very good, outstanding job in putting those numbers and statistics together, and also by their legal counsel in justifying all those points that are absolutely necessary; for example, the -- the Proposition 106 requirement and also the Section 5 Voters Right Act.

I urge you to also support these two plans. I ask you to seriously examine the plan and the data and all of the data associated with it. I'm asking to you take out your microscope and closely examine. It appears to be a very tight-fitting proposal. And I'm happy with that, though before this evening, I have not seen it. But just by looking at the maps and looking at -- or rather hearing and listening to their arguments, it appears to meet all the requirements.

I say that because Dr. Ron Faich, as part
of his presentation, mentioned that in the early 1980's, the Navajo County, while doing the Board of Supervisor District, gone through a similar exercise, and we went clear up to the Department of Justice. In recalling that experience that I personally went through, I believe the Navajo proposal is just and fair, and I ask you to seriously consider it.

I also want to assure these non-Navajo who have perhaps already taken a position to not be part of any Navajo plan, I want to assure you tonight that you will be represented should a Navajo be elected, either for the purposes of Congress or the State legislature. I'm saying this because I'm giving you this assurance because I have already, over the 18 years, given a fair representation to both the non-Native American and also the Hopi Tribe. So please don't be fearful of a Navajo representative, if these proposals are adopted. You can be assured a fair representation.

Yes, there has been disagreement and argument among the Navajos and non-Navajos from the southern Apache and Navajo Counties over representation, taxation and how funds should or should not be spent on the Navajo Reservation. These issues and debates, for the most part, are not over and been resolved.

It's now time to move on at an even higher level. I believe we can all live in harmony. After
all, we're not going anywhere, and you certainly are not going anywhere.

I also want to assure the Hopi Tribe. As I mentioned, a good majority of them are in the Navajo County. They have received a fair representation from my colleague, Jesse Thompson, who's also a Navajo living on the Navajo Reservation. He works hand in hand with them. Just the last two meetings ago, we have received a proposal from those different Hopi villages asking for various funding for various projects. We did grant them. We listened to them. We believe that their proposals are fair, and it meets all of the requirements for funding purposes. So there's no need to mistreat anybody.

And I also like to say that, you know, in sitting as a member of the Board of Supervisors, I mentioned that most of our agenda are dominated by non-Native American issues, like planning and zoning, health issues, jail issues, and so forth. There are times when I have -- well, actually, many times, that I have received letters, phone calls and visits from the -- from these non-Native Americans within the county, stating to me that they have been -- they have experience with their own representative that they are not listening to them, so they resort to myself or to Jesse Thompson asking us to listen to them, listen to their argument, listen to their issue.

And I have -- and I believe these last --
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for the past 18 years that I've been on the board, I have yet to receive a single letter of complaint complaining that I am not representing them complaining that I am misspending their money. So I can assure you, the Commissioners, by adopting the proposal submitted to you, there will be a fair representation. And I want to direct the same assurance to the non-Native Americans in the southern part of the counties and to the Hopi Tribe.

(Navajo spoken.) Thank you.

COMMISSIONER HALL: Thank you, Mr. Deal.

Can I just ask you one question?

MR. DEAL: Yes.

COMMISSIONER HALL: I was just curious.

Since you are a Supervisor in Navajo County, I wonder if you would just comment with respect to the fact that Navajo County, by reason of this proposition, would be dissected and divided and placed that county into two separate legislative districts. Do you have a comment relative to that?

MR. DEAL: Yes; yes, I do. And I -- as I mentioned, over the past 18 years, I have come to learn about the southern part of the counties, both in Apache and Navajo. And my only proposal to the Navajo legislators is that -- and certainly to Dr. Faich -- is that I'd like to see them switch the western half of the Gila County with that part of the Navajo County that would go into other district. I don't know how the statistic would fall
out. But I really believe those two parts of the county, the two southern parts of the county, both Navajo and Apache, should be together in the same district, simply because they are very closely knit communities. Thank you.

CHAIRMAN LYNN: Thank you, Mr. Deal.

COMMISSIONER HALL: Thank you, Mr. Larry Foster.

MR. FOSTER: Yah'a'te. Good evening.

First of all, I just want to say that I'm not standing up here as a politician. I'm a private citizen. And I hope that my words will not be held in vain, that you will take our words very seriously as a tax-paying person, who is very active in tribal government, county government and state government.

First of all, I want to introduce myself. My name is Larry Foster. I am a Todachini. I am born from Wanalani (sic), and my grandfather is Irish. So if you're Irish up here, you're related to me. That means you've got to go with what we say. I always say that my grandfathers don't let me down.

My paternal grandfather is a Red House and a Todachini. And my boss is the Todachini's Bitter Water Clan. They're my children.

I just want to express my appreciation to the Redistricting Commission for coming up here and for conducting hearings on Indian lands.

When the Redistricting Committee or Commission legislation was going through the
referendum, I was very much supportive of that. You know, with Arizona being comprised of 20 percent Indian lands, I would just assume that there would be a Native American sitting on the Commission. However, that's not the case. Maybe in the next ten years, that will be forced into effect. But I do appreciate the process that you've put together in how this selection and composition of the Commission has come into being.

I also want to express my appreciation to our leaders who are here tonight speaking on our behalf. I'm glad that the Intergovernmental Relations Committee, the Attorney General and Legislative Counsel have taken the initiative to address the interests and welfare of us, as private citizens. And I think that they've done a good job.

I wholeheartedly support their recommendation, though I've seen it tonight, it was brought to my attention tonight, and I believe it's a very good plan.

I want to just kind of comment a little bit about the status of the nation here. And I don't think anybody really has brought that up. I am a strong proponent of the Treaty of 1868. We are a treaty tribe, probably the only treaty tribe in the State of Arizona. We were a nation long before the State of Arizona even came into being. We are a
nation long before the United States even became a union. And I think that we should have some recognition of who we are as human beings here. And I believe that, you know, if you look at who we are, we were here from time immemorial. It goes into traditions, our ways of life.

As I mentioned earlier, over 20 percent of Arizona is now considered -- is now considered Indian lands or federally recognized transcribes. But just think, prior to that, from time immemorial, all of this was Native American lands, indigenous people lands. And I think that in that sense, then, we, with what has been mentioned here, have the common interest. We have to have a common bond, and I see that as very important.

Solidarity is very essential to us as Native Americans, and for too long, our people have been separated and divided. And it's time for us, I think the Commission needs to take a good look at the solidarity of Native Americans. You know, our central survival is important in such cases like this. We need representation, as this people that have common interests.

And I'm very glad that our Intergovernmental Relations Committee has taken the steps to go to other Indian tribes to gather support, to educate other Indian nations. And it's good to hear that there are seven to eight tribes that are very supportive of what is being recommended here as a people. And it's something I
can wholeheartedly support as a private citizen.

You know, communities of interest, it's really an interesting phrase that Justice Sandra Day O'Connor has often referred to. I believe that, you know, in our way, as Dine people, as the Navajo, it's very important to us, communities of interest, because we have our clan systems. That's who we are as a family.

Earlier Vice-President McKenzie was referring to so many thousand Navajos, at least 250,000. I think the more accurate figures are maybe around 300,000, because there are a lot of Navajos not accounted for, off-reservation and on reservation. But we all hold ourselves in a common bond through our clan systems also.

Those are important to us. Those are things that are important to us as things of communities of interest.

We also have four sacred mountains at our boundaries. Our lands, at one point, extended into Colorado, to New Mexico, far into New Mexico, far past Boquillas (sic) Ranch. So you can see the magnitude of what was taken away from us.

And these things are very important to us. That's why I have to support the proposal that's being presented, because we have sacred places, holistic places, places where we practice our religions. And to me, you know, you can't separate, you know, religion from governance in a sense, not
for a traditional Navajo. All these things have a
sacred place, whether it's governance, whether
you're talking about redistricting here, it's part
of governance. I think it sort of holds us together
in solidarity.

We also have many Navajo people that are
urban Indian in the urban areas, in the border
towns. We -- as presented by Supervisor Deal, we do
a lot of work together with -- you know we partner
a lot with the border towns. People are non-Navajos
and non-Indians, in all segments of life, not just
Navajos, to Apaches, to Hopis to Hualapais, we all
have a common exchange with non-Native Americans.
And I think that's where we have to be kept
together. It's very important.

The economy is very crucial to us. The
northern part of the state is probably the most
underdeveloped properties in the whole State of
Arizona. And the only way that -- that the economy
can flourish and we can move towards self-sustaining
self-sufficiency is to let us, to allow us to come
together, to be solidified and to work together.
That's the only way I can see that happening.

Earlier I talked about intellectual
properties. Those need to remain intact. And we go
down as far south as our brothers and sisters, the
Apaches to the south. Those areas are very
important to us, and I think the land mass itself,
the land base itself, is very important that we
remain together contiguously. And I would ask that
you help us in that area.

What has been proposed on your grid by the computer as mentioned in the criteria, each of those criterions will not be met by what has appeared -- what appears on the gridlock. What's being proposed tonight by our leaders will meet each of those criterions, and you fully support that. And I believe that those can withhold and sustain any arguments to the contrary.

I want to speak up to an issue which is the -- was brought up, the Navajo-Hopi issue. You know, we've been enlightened that in 1990, there was an exercise that took place, where three tribes were able to come together and work out differences in Navajo County. And I believe that the time is here now.

Now, whether there are differences between our tribe, as the Navajo Nation, or as the Hopi Nation, I believe there's just only a few people that are probably instigated this. Because I've made many friends out in Hopiland. We all basically work together. And I think it's time that we look at the communities of interest. They're no different than I am I'm Navajo; they're Hopi. But we have a common -- we have a community of interest. We have something in common.

I believe that, you know, that's something that you're going to have to make a tough decision on. You know, the white man says, "Bite the
We say, "Bite the arrow." You know, making some tough decisions. I think the Independent Redistricting Commission has to rise to a higher level, rise to the occasion and say that enough is enough, you know. It's time to put the differences aside. It's time for Indian nations to start working together, coming together with a common cause.

And I think that's one of your jobs. It's a tough job. And I don't -- you know, I would hate to be up in your shoes. But I think that, you know, just do the best job you can.

So in closing, I just want to strongly support what our leaders have said here tonight. I believe they've done a good job and that the proposal that was submitted here meets all the criteria, and that I think that the Commission needs to take a good, good serious look at the recommendations that has been made here tonight.

As a private person, as a private citizen and my children go to Arizona State University, they've gone to public schools here on the reservation, we pay taxes, just like anybody else, property taxes, sales taxes, gas taxes. And all I ask is that, you know, you not deny me or my family, my children, that, you know, you allow us to keep together, keep all our common -- common interests, our communities' interests together so that we will have a voice at the state level so that we will have a voice in Congress. I thank you very much.
CHAIRMAN LYNN: Thank you, Mr. Foster.

COMMISSIONER HALL: Thank you very much.

Appreciate your comments. Next speaker is Aresta La Russo? How did I do? Terrible?

MS. LA RUSSO: Somewhat.

COMMISSIONER HALL: Would you mind spelling your name for us?

MS. LA RUSSO: Yes. My name is Aresta La Russo. And you spell it A-R-E-S-T-A, L-A, capital R-U-S-S-O. I want to say thank you for the work you've been doing. I know you've put a lot of hard work into it, and it's a volunteer job and I think you're doing a great job so far.

And I am a member of the Navajo Nation. And I reside in -- I'm a businesswoman in Flagstaff, and I made the trip out here because I thought it was important to voice my opinion on this matter here because it's a defining moment for the Navajo Nation and other Indian nations that surrounds us. Excuse me for being nervous, but these boundaries will determine the political future for us today and for the future also.

And there's a few requests that I would like to make. One is to keep the Navajo Nation as one in the congressional and legislative district.

I think it's important for voting block and also representation. And also for the Hopis. I think --
I believe that we should be in the same district for legislative and congressional, because we have a lot of commonalities, such as land, due to the Accommodation Agreement, and we have other Navajos living on Hopi land and Hopis living on Navajo lands.

And also through intermarriages and also that being together, it will force us to work together, as opposed to -- it seems -- well, being in Flagstaff on the 19th, from what I heard, you know, there were some disagreements. But I would disagree with that, and that really, it's for the future generation of the Navajos and Hopis who will learn to work together.

Third is that try to keep all Indian nations together, you know, as one, for a stronger voice. And that also, as the Navajo Nation and other Indian nations as sovereign nations, because the sovereignty gives us the freedom to define our future and our language on a cultural and social atmosphere, education, economic conditions and other issues that pertain to us.

And also fifth, if possible, I would now like to see a Northern Arizona District not be included with any of the metropolitan areas, such as Phoenix and Tucson due to inconsistent issues. And a lot of times their voices overwhelm the rural districts.

And I would also like to support the Navajo Nation's resolution and their proposal for --
for the proposed congressional district and
legislative district. And I think our leaders have
done a great job and have done their homework in
this, and so I strongly support that.
And in closing, that's all I want to say.
Thank you.

CHAIRMAN LYNN: Thank you, Ms. La Russo.

COMMISSIONER HALL: Thank you very --
thank you very much, Ms. La Russo. Appreciate your
comments.
Next -- do you need a quick break? How
about we take about a five-minute break for our
court reporter's wrists to not be numb anymore.
And, without too much ado, we're going to start
promptly in five minutes, reconvene.

(Recess held.)

COMMISSIONER HALL: Ladies and gentlemen,
with your permission and with the permission of our
court reporter, we will call this meeting back to
order. Our next speaker is Sylvia Laughter, State
Representative.

REPRESENTATIVE LAUGHTER: Good evening,
members of the Commission. We really appreciate you
coming to the Navajo Nation, making your efforts to
listen to our concerns. I know your job is very
difficult.

According to Proposition 106, the
Commission must base their decision on district
boundaries with respect to communities of interest.
And we know the final decision must comply with the U. S. Constitution and the Voting Rights Act of 1965.

According to the present proposal, approximately 23,000 members of the Navajo Nation are not included with the rest of the Navajo Nation boundaries. They are in Coconino County. Being in the minority as per population, these Navajos will not be heard. This proposal is into direct conflict with the U. S. Constitution and the Voting Rights Act.

The way the proposal -- proposed grid presently stands, Maricopa County would gain congressional seats. The Navajo Nation census office diligently worked to obtain accuracy in numbers for the sole purpose of electing our first congressional representative. We know the Navajo Nation numbers are not there. But it would be most beneficial if we keep all the Navajos, Native Americans, together, so as to accomplish a community of interests, as per Proposition 106.

Presently, the new congressional district proposal excludes four precincts, namely Ganado North, Steamboat, Kinlichee and St. Michaels. Also in the congressional district proposal, as the proposal now stands, Metropolitan Phoenix will have majority of the voting and election privileges. It is very important that, in accordance with Proposition 106, that the rule and minority population are represented fairly. This proposal
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does not fairly align the boundaries. Our votes
will never be heard under the present proposal.

We know there is constant Justice
Department scrutiny. And therefore, it is important
that the final decision is consistent with the
U. S. Constitution and the Voting Rights Act of
1965. As cochairman of the Native American Affairs
Committee in the State legislature, for the first
time in all the years that we have had

representation, we were successful in introducing
over 40 bills. In the State of Arizona, there are
21 Native American tribes. Within the state and all
across the United States, this state has the largest
number of Native Americans. Therefore, I feel it is
imperative that we continue to receive both
legislative and congressional boundaries beneficial
and representative of Native American needs.

The way I see it right now, we will be
losing a senator, and we will also probably lose a
legislator the way the boundaries have been set.
And in the congressional district, we won't have any
representation at all.

What I see with this proposal is that
the -- in the State, the Hispanic and Native
American population have been divided so as to
minimize their voting power. I realize your job as
a Commission is a difficult one, and I know, as an
elected official, we cannot satisfy everyone. But
we certainly try to be as fair as possible. Your
strong consideration in keeping all the Navajos together and, if need be, include other Native Americans, to obtain an equitable boundary for a congressional and legislative district is most appreciated.

We hope that you will strongly consider all the proposals that have been made from the President's office and those that have been heard by all the members that have come here today. We appreciate again the efforts that you have made, and we know it's a tough decision for you to make. And I don't know that I would be in your position trying to satisfy. But we certainly hope that you will consider our proposal strongly and keep the district the way that it is possible with at least two legislators and possible a congressional representative and one senator. Thank you very much.

CHAIRMAN LYNN: Thank you, Representative Laughter.

COMMISSIONER HALL: Thank you, Representative Laughter, appreciate it. I apologize for any inability to read the first name of this next presenter. It's -- last name is Morgan?

MR. MORGAN: Randy.

COMMISSIONER HALL: Sorry, Mr. Morgan.

I'm sure it's not your handwriting. It's just my vision.

MR. MORGAN: Somebody sabotaged it. Hi.

I'm Randall Morgan, and I'm here as a voter from the
State of Arizona. And my comments tonight speak directly to the proposal on the congressional boundaries. While I believe it's important to -- for everyone in this room to understand both the proposals related to the legislative boundaries and the congressional boundaries, I'm going to focus primarily on the congressional boundaries.

Part of my job involves interfacing with federal agencies and members of Congress and their respective staff. And so that is obviously, the result of this proposal, to redraw the boundaries, is of great interest to me professionally, because my job requires me to keep abreast of who will be representing the Navajo Nation or who in Congress will advocate the interests of the Navajo Nation.

Before I begin a series of comments, I first want to say that I did vote in support of Proposition 106, and I'm glad to see that the Commission was receptive to coming to Arizona's Indian Country, especially the Navajo Nation, to receive input directly from Indian voters; in this case, the Navajo voters. I think that by coming to the Navajo Nation and visiting Indian Country, you're doing a -- you're -- it's only going to improve the relationship between the state and the Indian tribes in the state.

What you're also doing, as you probably
know, is for those voters who participated in the last election relative to this referendum for this ballot proposition, you're creating an opportunity for young Navajo voters to see -- or see the outcome of participating in the process, and they'll get to see firsthand what results when they participate in elections and when they take a position and formulate an opinion about the propositions that are on the ballot and how it will impact their life and their family.

So I hope that your comments about coming back to Window Rock are genuine, and I hope that the Commission will seriously consider maintaining close communication and close ties to all Indian tribes and all Indian people in the state who have great interests in this task that we're discussing tonight.

I also want to say that, first of all, the Navajo Nation proposal that was shared with you tonight, I think most people in this room hopefully everyone in this room supports the proposal. People who have great faith have great respect for the individuals who are in elected position for the Navajo government. And that would be all members of the Council, all 88 members, the President, the Vice-President and some of the local elected officials.

And I say that because I think you -- what I'm asking you to do is respect the titles in which they hold and the trusts in which they are given by
Navajo voters to advocate for the interests of Navajo people, Navajo communities, Navajo interests. And the proposal that was submitted to you tonight represents that leadership, and that I am asking you to respect the inherent right of the Navajo Nation government to speak to issues and advocate on issues in which it will be affected.

And with that resolution, I think you also have an opportunity to utilize resources throughout all of Arizona to help you do your job, complete the task that is a difficult one. I don't believe -- I would assume that no one who was involved in creating the Navajo Nation proposal would refuse an invitation from this Commission to help you in your job.

And so I would -- I'm encouraging you to think about that, and the Navajo people would be -- Navajo people in the government would be happy to help in that whole effort.

I also want to say that ideally, I would like to see the Navajo Nation as its own congressional district. And the reason why I say that is because I think that a lot of young Navajo people would like to one day see the U. S. House of Representatives include one member of the Navajo Nation whose constituency is the Navajo Nation.

And I think that's possible. And I think that's possible because you look at the stats, and which you've shared with us earlier tonight, and you...
see that not only is the state population increasing, but the Navajo Nation population is increasing dramatically. And hopefully, one day, I look forward to seeing one member of the Navajo Nation represent the Navajo people in the Congress, the United States Congress. Clearly, by including or by increasing our congressional districts from six to eight, hopefully, we're going down that path.

I also want to say that I know that Proposition 106 makes permanent that every -- during every ten years, a Commission will have the task of redraw the district lines, if I understand the proposition correctly. And so that's why I'm here tonight, too, is to make sure this year, the first year in which a private citizen entity has that responsibility, may it be unchallenged or that it be solid, the results be solid, so that in the next years, it will prove to be beneficial to everyone.

I obviously support a proposal which does not dissect any -- does not -- I support a proposal that includes the Navajo Nation in one congressional district. And I say that, because if you're looking at -- if you're seeking input on definitions or understanding of communities of interest, I think many people who spoke before me tonight have already given you plenty of definitions in which I believe in.

And each -- the Navajo Nation has 110 precincts, 110 communities. And I think that you need to become familiar with those communities,
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because as a whole, they develop or they create the
Navajo Nation. And each community, I believe, would
be supportive, each chapter would be supportive in
what everyone is advocating here tonight, and that
is to not separate them from any of their related
communities or local communities, if all chapters of
the Navajo Nation should remain in one congressional
district.
I also want clarification on a couple of

things. Earlier in the presentation, where the
gentleman was going through his PowerPoint
presentation, you spoke briefly about the
partisanship and the incumbency requirement or the
prohibition. And I'd like you, at some point
tonight, to go over that part again, because it was
kind of unclear to me exactly what -- what you were
saying relative to the last sentence in this
section, which reads, "The place of residence of
incumbents shall not be identified or considered."
And if you could go over that for me, I'd appreciate
it.

Secondly, I'd like to know or be informed
of regarding this redistricting impact the next
congressional election, so that in the -- when we
are voting for a representative to the 108th
Congress, we Arizona voters are sending eight
members to the U. S. Congress.

Again, for the record, I just want to
underscore what everyone else had talked about
tonight, and that is for the congressional proposal, please pay special attention to what was provided to you by members of the Subcommittee on Redistricting for the Navajo Nation Council's Intergovernmental Relations Committee, respect that this is a body in which it is advocating in the best interests of the Navajo Nation, and that you appreciate that the folks involved in that -- in the development of the Navajo Nation proposal equate the amount of time and energy probably equates to the amount of time and energy that you put into your task as Commissioners. Thank you.

CHAIRMAN LYNN: Thank you, Mr. Morgan. Let me respond to your two questions very briefly. First, with respect to when the districts would take effect, our schedule is such that we anticipate the districts taking effect for the 2002 congressional election. So in 2002, Arizona will be electing eight representatives to Congress.

With respect to the section, that you referred to, the section indicates that at no time during this process may we take into account where current incumbents or candidates for office reside. That means -- and the reason it's in there is that the framers of the initiative wanted to, if you will, depoliticize the process in a way that would make sure that we did not draw districts, particularly favorable to any one incumbent.

By keeping us out of that knowledge, away from that knowledge of where people live, the hope
is that we would draw districts that are more regular in shape, that are contiguous, that have other attributes. But we are not protecting any incumbent or any candidate for office in terms of a safe district or a specific district. And that was the intent of the legislation. So does that answer your question?

MR. MORGAN: Yes.

CHAIRMAN LYNN: Thank you.

MR. MORGAN: Thank you.

COMMISSIONER HALL: Thank you, Mr. Morgan.

Thank you, Chairman Lynn. The next speaker is Leila Help Tulley.

COMMISSIONER HALL: Will you please spell your name for the reporter?

MS. TULLEY: The name is Leila Help Tulley. L-E-I-L-A, Navajo. I am of the Bitter Water Clan, or for the Yucca Fruit on the Stream Clan.

Commissioner Hall, Chairman Lynn and members of the Arizona Independent Redistricting Commission members, our Navajo Nation leaders, Speaker Begay, Mr. Ervin Keeswood. Good evening to each and every one of you. This evening, I speak as a private citizen of the Navajo Nation. I provide this testimony in regards to the plans for redistricting within the State of Arizona.
During the Census 2000, I had the privilege of working with our Navajo Nation in proving the Census 2000 count. As a tribal partnership specialist assigned to the Navajo Nation, from the Denver Regional Census Office, I worked to insure that the Navajo Nation gained a true representation of the Navajo citizens.

In working with the Census Bureau, a true advocacy was made to produce census data that could represent the following:

No. 1. Census data would be presented to enhance the Navajo Nation's tribal sovereignty. Acknowledgment of tribal sovereignty would assist the Nation's unique legal and political status as a federally recognized tribal government.

No. 2. The Census Bureau worked very hard in committing itself to work on a government-to-government basis with the Navajo Nation. This relationship was honored based upon Executive Order initiated by President Clinton on April 29th of 1994.

3. A requirement was made also to all Congress agencies to consult and work closely with tribal governments on community matters that impact our tribal nations directly.

I bring these commitments made by the Census Bureau to the attention of this Arizona Independent Redistricting Commission because it is my conclusion as a Navajo Nation citizen that the statistical data we worked so very hard together
upon the Navajo Nation is being minimized by your
Commission's proposals that have been initiated, by
the purity is what I end up hearing. And I am very
concerned, because this makes a significant change
to the Arizona's -- to Arizona's voting district.

Recognize that the Navajo Nation is one of
the largest Indian nations in this country who
desires to protect the interests of the Navajo
citizens, and that every interest is expressed to
hold our political base for our Navajo Nation.
During our work with the Census 2000, the interests
of the majority of our Navajo people was to elect a
congressional representative, to be able to have
that type leadership, nationally, to advocate on
behalf of all Indian nations' interests has been the
desire of the grass root of the Navajo people.

Let it be recorded that as Navajo people,
we never asked for citizenship within the State of

Arizona. This is something we, as a nation, had to
adjust to. And now in this year of 2001, we are
still left to fight for our interests within this
Grand Canyon State by possibly having our voting
block divided.

I would ask through this testimony that
the members of the Arizona Independent Redistricting
Commission offer the same acknowledgment as the
Census Bureau has done from the Department of
Commerce to recognize our sovereign status by
listening to our words to state that we are opposed
to the dilution of our voting district.

It is through our own Navajo legislative representation that our interests are moved forward within the state government. Without this type of representation, we will not have the advocacy needed to promote the cultural match we so desire for our Navajo Nation.

Do not split our Navajo vote. I fully support the Navajo Nation's advocacy for the proposed Northern Arizona congressional and legislative proposal. This is very important to our nation, and we desire that our interests be heard.

Thank you.

CHAIRMAN LYNN: Thank you.
me, because not only do we participate in the federal government elections, the state and the county and the school districts, but we also get to participate in the Navajo process. We vote in our chapters. We vote for the President. We vote for our chapter delegates. And so because of that, we're afforded many opportunities to participate in the different governmental structures around here.

But for me, as a Navajo, we weren't

actually allowed to be citizens of this country until 1922 or 1925, something in the '20's, I believe. But the Navajo Nation, as you heard earlier, has been around for many, many years. In fact, a treaty was struck between the United States government and the Navajo Tribe of Indians in 1868.

And for myself, as you heard earlier, we do hold the treaty sacred to our hearts. And the treaty sets up a lot of parameters between not only the Navajo Nation and the federal government, but the Navajo Nation and the state governments.

And so when the Navajo Nation does business with the states and the counties and the federal government, it's on a government-to-government basis. And so with that fundamental notion, the whole process that we're -- you, as a Commission, are looking, I think need to keep in mind keeping the Navajo Nation intact. And I think that's a common theme that we're hearing tonight, that you're hearing.
And I strongly advocate that we keep the Navajo Nation intact, for many reasons. One is that it keeps the Navajo people together. And that's what we've been striving to do is to keep the Navajo Nation, the young, the old, the people that live here in Window Rock, the people that live in the rural areas, the people with electricity, the people without electricity, all the issues that we as a Navajo Nation have to work on each and every day, to keep us as a family, to keep us together. That's one issue.

The other issue is that we need to work with our fellow tribes. And I want to say thanks to the -- to the office of the Speaker and to the Intergovernmental Relations Committee of our Navajo Nation Council for working on that, too, for working with the leaders in Northern Arizona and for talking with them and asking them to join together as a group.

There's also some other interests that I want to bring forth. And that is that Navajo Nation is totally unlike what has gone down in Phoenix. There's a big issue related to rural versus urban interests. Any new district that does come about that represents Northern Arizona needs to keep in mind the rural interests. I've seen, in many years, a complete difference in how our congressional delegation looks at urban issues versus rural issues. There's a lot of issues pertaining to water, a lot of issues pertaining to land, to
growing, to rural economic development, to rural electricity, to education.

If the district comes about where we have to mix the rural interests with the urban interests, then I think that what the Navajo people out here in Northern Arizona get will be diminished and diluted. Those are very important -- very important issues.

I believe that our interests are very much similar to what the concerns are of Holbrook, St. Johns, Winslow, Joe City, Page, Flagstaff. And so what I am concluding with is that the proposal that was presented by our elected leaders of the Navajo Nation Council, Navajo Nation government, the Northern Arizona district, I believe that's something that is in the best interests of the Navajo Nation, the best interests of the area tribes that was talked about earlier.

And I also believe it's in the best interests of the counties, the small cities and towns. There's a lot of interaction, a lot of interaction, as we all know, a lot of commerce takes place between the Navajo people and Page, the border towns, as we call it, Flagstaff. We have to keep those interests all together.

But today, in going forward, I know that many, many people, including the folks out at the chapter level, the folks at "sheep camp," as we call
it, they are going to remind us, as representatives, as leaders, elected leaders and appointed leaders of the Navajo Nation government, to remember the treaty, the Treaty of 1868. That's really important. That's something that I know that we need to, and you, as a Commission, need to think about that.

Navajo people are also saying that at some point, they would like to see a Navajo in Congress. I think that's something that -- that hopefully, will come in this go-round, and that's something that I know that a lot of people would really like to see.

There's been a few elected Indians in Congress over the years, but I think none from the Navajo Nation, the largest nation in this country, the largest land-based tribe in this country, the largest populated tribe. I think if you look at the 2000 census, you'll see that there's a Navajo in every state, which is quite interesting. The Navajos are all around this country in each and every state.

I think we here, in Window Rock, the capital of the Navajo Nation, and having a significant force in Northern Arizona, the Northern Arizona economy, the policy directions, we're a major influence. We have to keep that all in mind. So with that, Commissioners, and staff, I urge that we keep the Navajo Nation intact. I know that there are some issues that we have to work on with Hopi
and the other nations.

I also strongly support the proposal here that's on the wall. I think that those -- if you really look at it and a lot of work actually did go into it, as was talked about earlier, through the efforts of the Speaker's office, the President's office, and the subcommittee, the Intergovernmental Relations Committee, a lot of work went into this, and I think that as you heard earlier, we really need to look at that.

Yes, the Navajo people need to -- to look at that. But the Navajo people have also elected the Navajo Nation Council members and the President, and this is the proposal that's being advanced.

So with that, I know that it's getting late. And I can see that -- that you're a couple of more hours set to go. But I welcome you here to Window Rock. This is a place that I call home. And I hope that in the next couple of days, when you go to Holbrook, you'll hear more comments from the Navajo Nation.

I'm looking forward to the second round of discussions, where I know that we'll have more meaningful and robust discussions about the proposals that you're going to come out. So with that, I want to thank you for your time. Thank you.

CHAIRMAN LYNN: Thank you, Mr. Watchman.

COMMISSIONER HALL: Thank you, Mr. Watchman. Appreciate that. We will see you in
Holbrook on Wednesday.

Our next presenter is Carol Perry.

CHAIRMAN LYNN: Ms. Perry, if you'll pick up the other microphone, thank you.

MS. PERRY: Thank you. I don't want to take a whole lot of your time. My name is Carol Perry, and I'm basically representing myself, very much so, this evening.

There's been, I understand the topic of what you're wanting to hear about is the community of interest. And I want to address that. You know, there's been a lot of talk this evening about the Navajo Nation and the Navajo Tribe and all of this. And in some ways, there's somewhat an inherent fallacy in all of that. The Navajo Nation is a title given to a group of people who are quite diverse, actually. We talk about our clans. And even the word "clan" is not an appropriate word, because it implies a sense of clanishness. And that isn't accurate.

The core of the so-called clans is to encourage diversity. You are not allowed to marry someone from the same clan. So we're actually anti-clan, if you will.

And so the idea is that you encourage diversity. You always marry outside of the clan. And in that way, it insures that the best -- that diverse ideas allow maximum growth. And in that way, the reason why I mention this is, you know, we -- so as a group of people who live in this
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geographical location and have had long ties to it,
we were called traditionally not Navajo, not Dine,
we were called "Earth Surface People."

So that expresses to some extent the
connection that we have with the land itself. And
that connectedness, you know, it's like my father
knowing that on August 15th, the snow will -- the
rain will fall on his cornfield. And, you know,
when he died, 96 years old, he could predict that.

And he had that information for several generations.
So it's knowing it that -- well, you know, more than
the back of your hand, if you will.

So we are a diverse group. And I think if
you look at the history of each so-called clan
person, you see that there are Jemez people, there
are Zunis, there are Hopis, there are people from
all diverse groups from this geographic area. And
if you wonder where the Anasazis went, well, you
know, they probably intermarried with some so-called
Navajo years ago, and they're still kind of around
to some extent.

And I think if people do genetic analysis,
they'll be able to find that kind of diversity. So
I think that, you know, so I -- in some respect, you
know, I think the idea of Navajoness is, you know,
is true in some sense, but it also has other aspects
to it.

We have this different history for this
location. And you know, that history is very
important, you know. We all learn in grade school, Abraham Lincoln freed the slaves. Well, he imprisoned the Navajos. That’s kind of left out. We need to know that, because we suffer to this day from lack of self-concepts and lack of belief in ourselves because of that imprisonment.

So those kinds of histories affect what happens now. So I think it’s not so much that we’re Navajos, but, as a group of people, someone decided we were Navajos, and we needed to be based upon that label, needed to be rounded up and treated, probably, we would say, inappropriately.

The other part is when people talk about the so-called Navajo culture and language, if you really look at culture and language, they are the products of living in a specific environment. Linguists say that different words that we have start from onomatopoeia, which are the sounds of things in the environment. That’s the basis of language, you know, our -- you get the sense when you hear in English, "ocean," that big sound of the sea, and you hear the Navajo word for "toh" (sic), which sounds like really a small stream

So even though we have language and culture, etc., they are representing our interaction with the environment that we have. As history has changed, you know, we see more so-called Billigaanas -- I don’t say "Whites," because I don’t think the use of the term "White" is appropriate, because in Navajo, we would not call you that. That
is something, by using the English language, forces me to make that racial categorization that I normally don't feel is appropriate.

So I -- you know, the best way I can deal with it is by trying to use the word "Biligaana," which, in Navajo, I think, means -- it's a change from the Hispanic, "Americano," some people say. No one knows for sure. But it doesn't have any of the inherent -- I don't know what you would call it -- sense of racism that I think is part of the history of the Americanos, you know, in the past. And so, you know, that, too, is different.

You're -- so this only brings me to really probably two points. You were asking about the Hopis, and you were asking -- and there was some concern about the -- the -- the Biligaanas in the southern parts of Navajo and Apache County. The more I see it, the more you can connect it to the land, we are going to have a community of interests, because the land speaks one language, and if they haven't understood it yet, they will in good time, because the ruralness of the place, the value of that will begin to speak to them if it hasn't already. I'm fully confident that it has already.

Same would be true with the Hopis, to some extent. You know, I think the environment does speak to them in the same way. We can decide that
they're Hopis and we're Navajos. We can also decide that we're all "Earth Surface People," and we all are rural-living people who are dependent on basic things, such as rainfall and watersheds and so forth.

I think that there is -- their lives are a community of interests. So I really do appreciate you coming here. I just wanted to tell you my thoughts. It's probably real different than everyone else's, but it's something I've thought about a great deal. And I feel like there is a really strong community of interests with regard to the so-called Navajo Nation, but I would say to this rural land that we are on. And that community of interests needs to be represented in the state legislature, in the Congress of the United States, because more and more as America becomes more urbanized, dealing with very different problems. But I think the rural communities have a lot to say in terms of solutions, in terms of dealing with the environment, that cannot quite be said the same way with regard to urban people. Thank you very much.

CHAIRMAN LYNN: Thank you, Ms. Perry.

COMMISSIONER HALL: Thank you, Ms. Perry.

Were many of your comments written?

MSC. PERRY: No, off the top of my head.

COMMISSIONER HALL: You're obviously a very educated person. I was just very interested in some of your historical input, and I didn't know if you were reading from something you prepared or just
some notes.

MS. PERRY: Just some notes.

COMMISSIONER HALL: Thank you for your input.

Wilfred Whatoname, Senior? How did I do?

MR. WHATONAME: Oh, you did just like all my teachers that I had in school.

CHAIRMAN LYNN: Uh-oh.

MR. WHATONAME: Come to class, and every grade I go to, Oh, no, sitting way back here. Sure enough.


MR. WHATONAME: Whatoname, we actually pronounce it.

COMMISSIONER HALL: Whatoname.

MR. WHATONAME: Again, I'm Wilfred Whatoname, Senior. I'm a member of the Hualapai Tribe. I'm a Council member. My Council Chairwoman, Louise Benson, had addressed a letter to Mr. Edward T. Begay. I'd like to read that, if possible.

"Speaker, Navajo Nation Council. Dear Mr. Begay: First I want to thank you for the meeting on Friday in Camp Verde along with Chairman Vincent Randall. I believe my tribe has not realized the importance of this redistricting and of the Proposition 106. After reviewing the information and reading the Proposition 106, I give
ny support on behalf of the Hualapai Nation on the Navajo Nation's proposed redistricting of congressional and legislative districts."

Also to say that she would not be able to make it and that I would be here, and she wants to thank you, again, and she wants you to keep her informed, Mr. Begay. That's the letter from her.

Again, I want to say good evening to the Commissioners and of the Independent Commission and staff, and also good evening to the Navajo tribal members here and to the Navajo Tribe. I'm thankful to be here, to be here to support your efforts in the redistricting here.

Again, I am like Ms. Benson, I don't have too much information regarding redistricting. I think we failed to realize, like she said, the importance of it. But again, as we see it, I'd like to say this gives us the opportunity, or the Native Americans in the State of Arizona. Again, we keep saying -- keep hearing that there are 21 tribes. And we are the Hualapai Tribe of the northwestern part of Arizona (inaudible.) Total members of 2000 tribal members, of nine council members an executive order tribe and we, again, like I say, we are here tonight to just to say that we do support the -- the redistricting as proposed by the Navajo Tribe. Thank you.

COMMISSIONER HALL: Thank you, Mr. Whatonme. Appreciate your input. Next speaker is Johnny Naize. Is Mr. Naize or Naize here?
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18 mind spelling your name?

19 MS. BENALLY: Yes. My name is Angelita
21 like to, first of all, express my appreciation for
22 both of you holding your -- the redistricting
23 hearings here in Window Rock, Arizona. And it shows
24 me that you have a genuine effort -- that you're
25 showing a genuine effort and a genuine -- trying to

create a genuine understanding and working
relationship with the Navajo Nation as well as with
the northeastern part of, you know, Arizona.

And as we know, the 2000 Arizona census
population increased, and we have enough of a
population increase to increase the apportionment of
congressional representation in Arizona. And the
2000 U. S. census allowed the Navajo Nation to
maintain a better count and decrease the tremendous
undercount that we had experienced in 1990. And the
1990 undercount had damaged the Navajo Nation in
decreases of money and as well as representation.
Otherwise, we would have been eligible for it, and
that we could have called on.

And the U. S. census has worked hard and
long with the Navajo Nation in the 2000 count to
conduct a census count that was closer than the one
conducted in 1990. So I think the hard work that
the U. S. Census Bureau and the Navajo Nation has
done in a collaborative effort has shown that there
was a nearly 50-percent population increase than what had been counted in 1990.

And a lot of my work -- I work for the Navajo Nation, and I'm a citizen of the Navajo Nation. I participate in voting, tribal elections and so forth. And -- but I had previously worked in elections, mainly candidate elections, and so I'm familiar with that. But also my work was and took place in New Mexico. And I worked with both Democratic and Republican candidates in addressing Native American issues and educating them on Native American issues as well. And I worked in gubernatorial elections and senate representatives, on the state level as well as the federal level. And so I'm quite familiar with the voting habits of Navajo people.

And I think that what's interesting is the voting habits of Navajo Nation people, because they're -- our own tribal elections show that we have a high interest, and the turnout to vote is more than 90 percent of the total Navajo people who are eligible to vote. So they're not unfamiliar with the voting process. But when it comes to state and federal elections, we show a poor representation of how many people did go to the polls and vote, especially if it doesn't take place during a presidential election year.

And I think when the Navajo Nation is split congressionally, I think that diminishes the interest in getting the vote out from the Navajo
people, because it's more confusing to them. They
don't understand which congressional people, much
less who they're voting and what their platforms,
because they're most likely non-Navajo candidates.
And I think if the Navajo Nation voted as a whole,
it would create more enthusiasm for the Navajo voter
to participate in a more higher percentage rate in
the federal and the state elections, if they were
kept as a whole.

And the -- and I see this, you know,
primarily in Arizona, because I helped now Senator
Ben Nighthorse Campbell in his first -- in his first
political rally, you know, fund-raiser. And it did
take place in Albuquerque, getting contributors
there for his campaign. So once his -- native
Americans in his district, they had a high turnout
vote that year, that year that he ran.

And I do work with the Public Safety
Committee of the Navajo Nation Council. And we have
dealt with numerous uphill battles in meeting the
needs of like our law enforcement officers, the
Department -- like the jurisdictional issues,
taxation issues and the state tribal relations on
representation. And the Navajo Nation faces bigger
needs than the urban and rural areas of Arizona

because outlying airing transmission and
communication lines, utilities and road conditions,
just to name a few.

And I also -- I also do work with the Navajo Land Commission of the Navajo Nation Council. And I think that if the Hopi and the Navajo Nations were put into one congressional district, I think they would be forced to sit at the same table and forced to speak with one another. Right now, they have two congressional representatives.

But I believe that the Hopi and the Navajo Nation can resolve a lot of these issues if they sit at the same table. And if they have one congressional representative, that person might encourage mediation and more solutions to problems that exist.

And there will be other likely, you know, divisiveness and discommunication as well. And I think that if -- the Navajo Nation and along with our neighboring tribes are in one congressional district, we will be similar in needs and geographical locations and voting patterns as well and the tribes -- well, the border towns that surround the Navajo Nation, we could look at patterns of those areas of the voting precincts as well.

And I think that if the purpose of the Redistricting Commission is to assure that, you know, what the Navajo Nation wants is to select our own candidate of our own choice, and I think that that's a true goal and purpose of what the redistricting Commission was set up for. Thank you.
CHAIRMAN LYNN: Thank you, Ms. Benally.

COMMISSIONER HALL: I believe our final speaker is Mr. Ervin Keeswood.

MR. KEESWOOD: Good evening, Commissioners. Certainly a pleasure and an honor to speak this evening. We welcome you-all, so on behalf the Navajo population, to the great community of Window Rock.

Honorable Commissioner, Chairman Lynn and Commissioner Hall, and your relentless attorney warrior, Mr. Rivera, who we see falling all over the -- we recognize, in the Navajo Nation, we've had an opportunity to visit with you, various communities. And we've seen how difficult some of those presentations have been for you. And we've also seen the time that it's taken for you to travel to these communities.

And based on what we've seen we certainly first of all would like to extend our appreciation to you gentleman for the work that you're doing on a voluntary basis, and we see that individually, you're business people and I'm sure your businesses are sacrificed at this point in time as you take on this duty that you feel very comfortable and honored also as we believe that you do. So we also extend our appreciation. As you heard throughout the year there was many, many issues that were brought by the Navajo people. But I think the other issues have been brought to your attention throughout the visits.
that we made, through the great state of Arizona,
was from our friends the non-Indian communities.
Our friends there in the rural areas understand the
unique situation that the native populations are in
and we've heard that and we appreciate that and we
know that you've heard that also. And the
presentations that were made previously by our
non-Indian friends throughout the northern part of
Arizona extended to you as a reminder that the
Indian nations and the rural communities should
remain as one.

And you've heard that once again this
evening. We've had tremendous rapport from various
communities. And as you have heard throughout the
evening, there were presenters from various areas
within our nation. And also we've had documentation
presented to you from various nations throughout
this great state of Arizona. And in some of the
presentations that were made in various other parts
of the state, there was local leadership that
expressed that same authority.

And tonight, I am proud to see a good
friend of Navajo, the Mayor, Mayor Stubbins of Page
here with us, who has stated to us on record that he
supports the initiatives that are undertaken as long
as all of our voices are heard, meaning that those
of us in the rural setting, whether it be
reservations or the rural settings in various
communities and towns in the northern sections of
the state, our issues are not only unique but also
much similar.

A lot of our communities survive economically on basically ranching. And we basically identify ourselves in that fashion. And I think these various community leaders recognize the fact that, in order for all of us to come together and have one voice, we all have to learn to come together and work together, so that in the halls of Congress, our voices are heard, in the state legislature, our voices are heard. With common goals and common interests, we can overcome many issues that come before and are brought upon all people within the northern part of the state.

There are many issues that were brought here this evening to you. And as I sat here and listened and I watched you, certainly you became very interested, and you may have unknowingly taken the course Navajo 101 possibly tonight. You've certainly been educated. And we certainly thank you for your time here.

You've heard from various county commissioners here who have, to the extent, gave their support. The work that was done by the Navajo Nation government, the staff, took a tremendous amount of time, and we extend our appreciation to them also. And we feel from the Navajo Nation that the particular maps here that are drawn, congressional and legislative, represents not only the Navajo, not only other Indian nations, but our
friends and non-Indians in the rural communities.

We believe that all of our issues are very unique, but are different also from those people -- from those persons that live in the metropolitan areas. And if you would remember that, that issues in the metropolitan areas are much different from those that we live with on a day-to-day basis.

And we want also for everyone here and throughout the state to know that the Navajo Nation, we extend our hands to the Hopi people. We have no choice but to live with each other. We must learn to live with each other and move forward with one common goal is to have our voices heard.

So we extend our hands to our Hopi relatives. Let's come together, and we can work on all these issues, put a lot of our petty issues aside. And I believe that we can do this.

And also we extend our hands out to the non-Indian communities that are within this particular legislative and congressional district as proposed here this evening. This is basically the dream of the Navajo government here. We understand that possibly we may not get in. But we are hoping that tonight, you have heard all of the various testimonies, and we are hoping that you will take the consideration our issues again are very unique.

And we find the situation that we're in pertaining to this map here, this is basically the major issue for us as far as having our voices heard once again in Congress and also in the state.
1 legislature.
2         I am not a citizen of Arizona. And I've
3 heard that before from some of my colleagues. I'm
4 from New Mexico, actually. But I take very
5 seriously the issues that pertain to the Navajo
6 people. And we've worked very hard. And I commend
7 the honorable Speaker and the honorable President
8 for taking the lead on these issues.
9         In the future, very near future, next
10 couple of days, you'll also have some additional
11 documents from the Navajo government by a lot of our
12 staff that would pertain to the issues that are
13 brought up this evening and that will reinforce once
14 again the position of the Navajo people.
15         And again, we thank you for coming here.
16 We know that you live miles away from here, and we
17 know you have families, and we thank you for putting
18 those issues aside, your personal issues aside, and
19 coming out and hearing us. And we understand that
20 there will be additional hearings in the near
21 future, and we hope that in the next round, that
22 these maps are unattacked, so we don't have to come
23 forward and offer a great amount of testimonies and
24 try to justify why these maps should remain as they
25 are.

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Thank you once again on behalf of my
people that are here, the non-Navajo leadership that
are here, the county leadership that’s here tonight.
Thank you very much for being here.

CHAIRMAN LYNN: Thank you, Mr. Keeswood.

COMMISSIONER HALL: Thank you Mr. Keeswood. We appreciate the opportunity. By any chance, did Mr. Naize or Naize appear?

We typically allow for questions and answers. And without objection, unless there is some burning question -- is there a burning question in the audience that has not been addressed or answered?

Folks, we appreciate the opportunity to be with you. We are grateful. May I say to representatives of the Navajo Nation that this is undoubtedly one of the most articulate and best-prepared presentations we have seen across the state. And we commend you for your effort, for the time and for the energy you’ve put into it, and you can rest assured that every member of this Commission and our staff will take this into serious consideration.

We appreciate the opportunity to be with you. And without objection, this meeting will stand adjourned.

(Public hearing concluded at 9:40 p.m.)
BEFORE THE ARIZONA INDEPENDENT REDISTRICTING
COMMISSION

FOR THE STATE OF ARIZONA

REPORTER'S CERTIFICATE

I, CYNTHIA C. CHAPMAN, New Mexico CCR #219, DO HEREBY CERTIFY THAT ON June 25, 2001, a Public
Hearing in Window Rock Arizona, was taken before me, and that I did report in stenographic shorthand the
proceedings set forth herein, and the foregoing is a true and correct transcription of the proceeding had
upon the taking of this hearing.

I FURTHER CERTIFY that I am neither employed by nor related to any of the parties or attorneys in
this case, and that I have no interest whatsoever in
the final disposition of this case in any court.

Cynthia C. Chapman
Certified Court Reporter #219
License Expires: 12/31/01
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