STATE OF ARIZONA

ARIZONA INDEPENDENT REDISTRICTING COMMISSION

REPORTER'S TRANSCRIPT OF PROCEEDINGS

PUBLIC SESSION

Phoenix, Arizona
August 30, 2001
1:00 p.m.

ARIZONA INDEPENDENT REDISTRICTING COMMISSION

LISA A. NANCE, RPR, CCR
Certified Court Reporter

Certificate No. 50349
THE STATE OF ARIZONA INDEPENDENT REDISTRICTING

COMMISSION convened in Public Session on August 30, 2001, at 1:00 o'clock p.m., at the Heard Museum, 2301 North Central, Phoenix, Arizona, in the presence of:

APPEARANCES:

CHAIRMAN STEVEN W. LYNN
VICE CHAIRMAN ANDI MINKOFF
COMMISSIONER JAMES R. HUNTWORK
COMMISSIONER JOSHUA M. HALL
ADOLFO ECHEVESTE, Executive Director
JOSE DE JESUS RIVERA, Commission Counsel
DR. FLORENCE ADAMS, NDC, Consultant
MARGUERITE MARY LEONI, NDC Counsel
AMY REZZONICO, Press Information Officer
CINDY LE, Commission Staff
PAUL CULLOR, Outreach Staff
LISA A. NANCE, RPR, CCR, Court Reporter

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SPEAKERS FROM CALL TO THE PUBLIC:

CHAIRPERSON NORA HELTON
MR. GARY BOHNEE
CHAIRMAN WAYNE TAYLOR, JR.
GOVERNOR HUBERT D. LEWIS
CHAIRMAN CEDRIC KUWANINVAYA
MR. LEONARD GORMAN
MR. DERRICK WATCHMAN
CHAIRWOMAN LOUISE BENSON
MR. FRANK SEANEZ
VICE CHAIRMAN DAVID G. RAMIREZ
PRESIDENT IVAN MAKIL
CHAIRMAN EDWARD D. MANUEL
CHAIRMAN DALLAS MASSEY, SR.
TRIBAL SECRETARY SONIA STONE
MR. HERB YAZZIE
MS. RACHEL SAKIESTEWA-SCOTT
MS. KATHLEEN NATONGLA
MR. TOM LAPAHE

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MR. ECHEVESTE: I'll ask the Chairman of the Inter Tribal Council to come forward, John Lewis, Chairman of the Inter Tribal Council.

CHAIRMAN LYNN: I'd like to call the meeting of the Independent Redistricting Commission order.

I'd like the record to show a quorum is present represented by the Chairman, Vice Chairman Minkoff, Mr. Hall, and Mr. Huntwork.

We also have legal counsel present as well as consulting staff and Commission staff.

Ladies and gentlemen, this meeting is called specifically to discuss issues that relate to the community of interest identified by the Commission as the Native American community of interest in the State of Arizona. It's a meeting called specifically to hear from members of the Inter Tribal Council, which we will be happy to do this afternoon.

If there are other members of the public
that wish to be heard, certainly they will have an
opportunity to be heard as well.

We're asking if anyone that wishes to be heard, if they'll fill out a yellow speaker slip, we'll be able to take you in a reasonable order this afternoon.

I do want to point out we're limited in terms of time we have this afternoon and we'll try to end this meeting promptly at 3:30. Some Commissioners have other appointments they have to go to between now and this evening's public hearing in Mesa at 6:30 in Mesa.

We start these meetings with a Power Point presentation. It's fairly brief. We've asked Vice Chairman Minkoff to make that presentation this afternoon.

If you'll give your attention to the screen.

Ms. Minkoff.

COMMISSIONER MINKOFF: Can you all hear me? Is this on?

Thank you.

As Chairman Lynn said, I direct your attention to the screen ahead of us, and I'll take you through the Power Point presentation.
This is one in a series of the Commission's second round of public hearings. We're holding hearings in many portions of the state. We're showing this presentation to provide the background of the hearings.

The purpose of the hearings is to obtain your opinion of the process, explain the draft plans, explain how they are drawn and why drawn. Here we do not have draft maps. We do have maps on the table that you might want to look at and examine after the hearings. They are not complete. We also have handout materials and citizen kits. I hope you each picked up citizen kits, the manila envelopes. They have "citizen kit" on them. If you don't have one, please raise your hand. Staff will bring one to you. They have excellent information to help you to understand the redistricting process and have redistricting information and information about the process.

We also are here to talk to you, if there is time before 3:30. In other words, if the meeting ends before that time, we're happy to stay, if you have any individual questions you want to ask us.

Please remember, the maps we are showing today are drafts. We know they can be improved. We intend to improve them. And we believe you can help us

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Last year, Arizona voted by a very substantial majority to establish the Independent Redistricting Commission to provide for a new kind of citizen redistricting to follow the explicit criteria in drawing new districts.

Here are the rules. The first two, A and B, relate to federal requirements. We must comply with the United States Constitution, one person one vote; must design districts of substantially equal population; also must comply with the Voting Rights Act, which includes fair representation for minorities among its requirements. Rules C, D and E require other criteria we have to follow.

C refers to districts being geographically compact, contiguous. D being communities of interest. E, geographical interests and undivided Census tracts. Last, F, requires us to make competitive districts.

Once we've addressed the other criteria, we are to adjust the districts to be more competitive so long as it involves no significant detriment to the other goals of Proposition 106.

Proposition 106 required us begin designing a grid using nothing other than population.

None of the other criteria I mentioned were part of the

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consideration when we designed the grid. We decided we'd use townships which have very regular lines that seem sort of grid-like, six miles square, as building blocks, combined with full Census tracts to provide for equal population.

Here are the Congressional and Legislative grids developed using these rules. Each one was based on townships, as you can see. They don't look a lot like townships. Townships have straight lines. Once you superimpose Census tracts on the townships, as Census tracts never cross county boundaries, it created irregular boundaries. Grids have to be adjusted, so they don't satisfy any other criteria of 106, compact, use Census tracts, and fail to achieve many other goals. They don't take into consideration, don't take into consideration city boundaries, town boundaries, natural features, which was a task after adjusting things in order to address other requirements.

To help us adjust the grid we had 24 public hearings all around the state. Many of you, I imagine, were at one or more of the public hearings. We invited citizens to complete and use the citizen kits. Many, many, many citizens around the state did just that. We have summaries of this.

An incredible amount of citizen input made

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it clear Arizona did have a firm belief in respecting communities of interest, respecting boundaries of cities, towns, local governments. It was clear these should be guiding principles to our next approach to drawing the maps.

We also learned from hearings and citizen input the three major citizen inputs we should begin recognizing. The first were Native Americans and tribal reservations; second, Hispanic communities of interest; and third, a very clear distinction between rural and urban communities, both among people that lived in rural areas and people who lived in urban areas, a very strong feeling that those areas should be separated as much as possible.

Because we followed the mandates of 106 and principles expressed, districts were developed in a very different way from existing districts. Many had fewer city and town splits.

Existing Congressional districts had 16 city and town splits in two or more pieces. Our draft districts split only six cities and towns.

The existing Legislative Districts split 39 cities and towns. And our draft districts split only a third of that amount, 13 cities and towns.

The same thing exists in counties. Some

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cities do cross county boundaries, so do many tribal reservations. In such cases where there are splits, elsewhere effort was made to unite counties. Existing Congressional Districts, there were only six, if you remember, and five split counties. Our draft Congressional Districts, there are eight of those, and we split only one more, only six counties.

Legislative Districts stayed the same at 30. Our existing Legislative Districts split 13 counties. The draft plan split only nine counties. So a real effort was made to try to keep these political entities together.

Most important, the draft plans respect communities of interest. The major communities of interest we mentioned earlier, three Native Americans, Hispanic, rural and urban, are well-respected in both Congressional and Legislative draft, and communities paid attention by citizens in the first round of public meetings, Arizona Units of Representation, or AURs. We listened very, very carefully to testimony given in public meetings as well as testimony in website mail and citizen input forms. A lot were telling us what people saw as communities of interest. We respected as many as we possibly could in drafts.

Proposition 106 did not allow the

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Commission to consider competitiveness of districts in the early stages of the process. These should be favored where there is no substantial detriment to other goals.

Now we have districts that addressed other goals analyzing competitiveness. This analysis in the very early stages is going to be considered much more fully during this phase of the redistricting process. So far, public input we've gotten has made it very, very clear that's what people want us to do. They want competitive districts.

Now it's time to show you some of these draft plans beginning with the eight Congressional Districts.

This is an outline of the districts lettered A through H. And the reason I suggested that you pick up one of these citizen kits is because it's rather hard to see these districts. The contrast doesn't show up as much on the screen as it does on the map in your citizen kit and also blow-ups of the Phoenix and Tucson urban areas, and you'll be able to see these districts a little more clearly.

This is the entire state. These are the Congressional Districts in the Phoenix Metropolitan area. And these are the Congressional Districts, draft
Congressional Districts, in the Tucson Metropolitan area.

We also designed a draft plan for our 30 Legislative Districts. This is the map for the entire state. And once again, a copy of this map is in your citizen kit.

These are the Legislative maps for Maricopa County. And this shows the complexity we face in designing districts.

Because of the requirement for equal population, a change to one district really creates a ripple. As soon as you add or take away population from one district, it is now out of balance populationwise, plus the district from which you took population or put the population into is now also out of balance and has to adjust its population by going to another neighboring district. So it's a very, very complex process to change boundaries of any of these districts.

This is the Legislative map of the Tucson area.

Since we ran out of letters, there are only 26 of them, we have 30 districts, we doubled up on the last four, created districts AA through DD.

Our hope is you will take an opportunity at this meeting to let us know your opinion, whether
favorable or negative. If you like what we've done so far, please tell us. I promise you, people that don't like what we've done so far will tell us.

If there are things you want us to keep, tell us. If there are things you want us to change, we need to hear that, too, whether in general terms or very specific detail. Tell us specific boundary lines you'd like to see or speak in more general terms about areas.

If you want to testify, please raise your hand. One of the staff will give you a speaker request form, if you've not already filled one out.

We have yellow slips. You need to have one if you want to speak.

To assure everyone has a chance to speak, we'd ask you limit your remarks. Say everything you have to say, tell us every point you need to make, but please understand there are other people that want to speak and be respectful of the time we have to listen to you and the attention that other speakers deserve.

Please keep your remarks to under five minutes if at all possible.

We're also circulating a form you may want to use to indicate your opinion, a very short form. You can fill it out here or mail it back later using one of the prepaid forms in your citizen kits.

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If you have specific suggestions for design or adjustment of lines, you can request a full packet of materials, obtain it from staff at the end of the hearing.

We're also pleased to hear from you via regular mail, e-mail. Our address is in the citizen kit. Our website is also in the citizen kit. Please make note of that address. It's right here, www.azredistricting.org. You can go to that website to send us e-mail. We all get copies of that e-mail and all read that e-mail. Go to that site if you are interested in the redistricting process. Visit it frequently. It's a wonderful site, wonderfully designed. Find updates, look at the districts, find information about the districts, answers to frequently asked questions. There's all kinds of stuff on the website. I recommend you visit it as often as you possibly can.

Now we're pleased to hear from you, because your comments will determine the kind of representation we have in this state for the rest of the decade. It's worthy of all the effort, energy, you and we can give to you.

We appreciate your interest, appreciate your interest in the Arizona very first

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citizen-conducted redistricting.

Now it's time for us to stop talking and
time for us to start listening.

CHAIRMAN LYNN: Thank you.

Now it's time for me to call on John
Lewis, Director of the Inter Tribal Council to direct us
in how we'll go this afternoon.

MR. LEWIS: We'll proceed with the nations
in alphabetical order.

We'd like to begin with the President of
the Inter Tribal Council of Arizona, Nora Helton,
Chairperson of the Fort Mojave Tribe.

CHAIRMAN LYNN: Chairperson Helton, if we
may, for the public recorder, if each of you, as you
speak, will spell your name for the public recorder.

CHAIRPERSON HELTON: Nora Helton, N O R A,
H E L T O N.

I am the Chairperson of the Fort Mojave
Indian Tribe located in Northwest Arizona, south of
Bullhead City, and I also am the President of the Inter
Tribal Council of Arizona.

Today, I want to thank you for -- am I
on -- for allowing this opportunity to meet with you and
present views from the different tribes located in
Arizona. First of all, the Indian Nations of Arizona

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met this morning to discuss impact on the individual
Indian Nations in Arizona of the current Congressional
and Legislative and district maps proposed by the
Arizona Independent Redistricting Commission.

My role this afternoon in my capacity as
President of the Inter Tribal Council of Arizona and
Chairperson of my tribe is to discuss the over-arching
things that will be expressed in the following
statements from other tribal leaders from Arizona.

First let me stress each tribe is a
sovereign government with the same status as the federal
and state governments recognized in the United States
and the Arizona Constitution.

Non-Indians oftentimes view tribes as
special interest groups that share commonalities while
federal and state governments remain public and state
entities. We have sovereign rights, and as such, wae
each act to protect them sufficiently from infringement
on national and international levels.

We understand the -- that the
Commissioners have sought information what the tribes
would prefer for new Congressional and Legislative
District lines. As elected leaders, we have a duty to
our tribal members to discuss and formulate our
individual tribal stands on a given issue before issuing

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an affirmative statement. We, therefore, have specific
procedures which differ from tribe to tribe we must
adhere to in order to proceed through the
decision-making process as elected leaders here today to
inform the Commission on an agreed-upon statement as an
informed government.

Some statements differ. One, it's not in
an attempt to make the Commission's job more difficult
but rather to insure the individual tribal interests are
protected.

I applaud the Commission's interests in
seeking to unify the tribes in certain districts.

Following me will be other interests from
tribal leaders, elected leaders of individual
reservations.

As far as my tribe is concerned, the
Congressional District, our tribe supports being
included in District C. We are a very small tribe, all
the way near to the Colorado River in the northernmost
part. For us we would tie in with the rest of the
tribes left out in the rural area. We'd prefer that on
behalf of my tribe.

Also, on the Legislative side, we're
satisfied with being included in that particular
district which I think was B.

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After this I'll allow other tribal leaders to make their presentation.

CHAIRMAN LYNN: Thank you, Chairperson Helton. We appreciate it very much.

MR. LEWIS: Gary Bohnee, Gila River Community, Director of Public Relations.

MR. BOHNEE: Good afternoon, Members of the Commission, Mr. Chairman.

It's a pleasure to see you again. As you know, we've been trying to be proactive the providing community's views to the Commission in Phoenix and Tucson. And I just want to start by saying thank you for all the hard work you guys have been doing. I know it's been complex and complicated, specifically with regard to what you are going to do with Pinal County in between Phoenix and Tucson, hope you'll continue to consider the community's views in that regard specifically with respect to how you develop the Legislative District.

Like I said, on behalf -- I'm here on behalf of the Gila River Indian Community. There are just a couple principles I think have been reiterated to the Commission in the previous meetings. And that is the first principle is to, if at all possible, Legislative redistricting, keep the four metro tribes
together. Again, I thank you for working in that regard. The current Legislative District W does include the four metro tribes: Salt River, Gila River, Ak-Chin and Fort McDowell Yavapai Nation. The Other principle, if at all possible, as Commissioner Minkoff indicated, to keep, as much as possible, the communities of interest intact. The other component, or other part of the Legislative District that was developed as of your August 17th meeting was to add a large part of Cochise County in Southeast Arizona into what is District W. And as I mentioned at that time in Tucson, if the Commission is considering moving in that direction in terms of extending the Legislative District south into Southern Arizona to the border, perhaps the Commission could consider moving south instead of southeast. But southwest, in that, the goal would be, at least from the communities of interest perspective, would be to keep not only the four metro tribes together, and many parts of Pinal County, which would include a large number of Hispanic groups in Pinal County, the Hispanic population, perhaps look at picking up the Tohono O'odham Nation as well. That's a significant community of interest in terms of the cultural ties that we share with the Tohono O'odham Nation, as well as other communities I just mentioned.
I guess the other side, the Congressional proposal you have, I think the community is in support of the way the district is drawn. We appreciate the effort to again keep those communities of interest. In this case you would have the -- you would have Gila River, Ak-Chin, the Tohono Nation, Pascua Yaqui, Cocopah, Quechan, and we appreciate the efforts in that regard. I believe it's a strong step in creating a district with significant Native American influence and, I believe, a majority-minority district as well.

In that regard, I'll let my comments go and look forward to providing more detailed maps as far as what boundaries could be for the recommendations that we've provided this morning and this afternoon.

CHAIRMAN LYNN: Mr. Bohnee, if I may ask a question, it's the custom in the second round of public hearings to engage speakers in a little dialogue. I'd like to do that with many members, tribal members. You spoke of the possibility of extending the Legislative District southwest rather than southeast. Recognizing there are other Native American communities to the southwest, and the first and foremost interest is achieving the population number appropriate for that district, with urban tribes, it is difficult as you know, tribal lands ring the urban land, whereas it's
distinct from the urban population border. Being close
to large population centers, the temptation is to
combine.

MR. BOHNEE: Right.

CHAIRMAN LYNN: We've tried to keep them
separate.

MR. BOHNEE: Right.

CHAIRMAN LYNN: If it's a choice between
trying to keep urban tribes together and merging that
population of urban tribes with other populations in the
metropolitan area, how do you come down on that kind of
choice?

MR. BOHNEE: I think I'd have the four
metro tribes together.

I think in respect to how the district
would look beyond that, one of the iterations you
developed, I think the August 16th version of the
Legislative map, it pretty much kept H intact, Pinal
County, and I guess pretty much achieved the first
priority and also would have a district, I believe, that
had the numbers criteria, the population target, also
had the -- would have Casa Grande and some of the
significant population centers in Pinal County, which
in -- from the community's perspective is a good start,
is something that I believe the Pinal County NAACP

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chapter supported as well as the Pinal County Hispanic forum. I believe those numbers worked.

But if you were to think about, again I just -- I add that just because of the previous map you had drawn going south, if the Tohono O'odham Nation also were included, I don't know where the numbers would be, we certainly on behalf of the community could try to run those numbers for you, see if that would be a balance.

I think again the four metro tribes as one, number two, looking at Pinal County, I know some versions you kept it as whole as possible, and then again looking south. I think the Chair from the Tohono O'odham Nation is here and will give you his perspective.

CHAIRMAN LYNN: Thank you, Mr. Bohnee.

Mr. Lewis.

MR. LEWIS: The next presenter is Wayne Taylor, Jr., Chairman of the Hopi Tribe.

CHAIRMAN LYNN: Chairman Taylor, good afternoon.

CHAIRMAN TAYLOR: Good afternoon Chairman Lynn, Vice Chairman Minkoff, Commissioners.

Again, we thank you for giving us this opportunity to express to you concerns that we have as well as areas that we do in fact have proposals for what

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you have brought forth to us at this point in time.

Before I proceed any further, I'd like to recognize members of the Hopi delegation that have joined me here.

Members of the Hopi Tribal Council, if you could all rise.

Thank you.

On behalf of the Hopi Tribe, regarding the proposed redistricting, both Legislative and Congressional areas in the state, we ask you to support our points of view. I want to ask you for forgiveness. I may go over the five-minute time limit. We have an opportunity here. I wanted to make sure we cover all the areas.

First of all, the Hopi Tribe wholeheartedly supports the Independent Commission redrafted Commission redrafted Congressional map from the Commission, the IRC heard consistently it was not served by the redistricting plan to have the Hopi and Navajo in same Legislative Commission. We strongly oppose the Hopi Tribe in the same Legislative District as the Navajo Nation. We were quite disappointed the Commission did not continue their line of thinking with the Legislative Districts as you developed the Congressional Districts.

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Let me restate points that have already been made to this Commission.

The interests of the Indian people are not always common interests. The Hopi Tribe is a distinct culture with a history in Northern Arizona dating back more than 1,000 years. Legislative District A will have a result of simply swallowing up, drowning out the Hopi voice in the context of the much larger Navajo voice. The latest draft, Legislative plan, places the Hopi and Navajo in same the district, District A, rural Northern Arizona District, together with the Kaibab Hualapai, Qeshan, in addition to a proposed district with largely non-Indian communities of Page, Colorado City, Fredonia, and Kingman.

Separation from the Navajo must be complete at both Congressional and Legislative levels in order to assure the Hopi a political voice at both levels. There's long history together, years of conflict, between the two tribes that exist, and conflict exists today.

The historical and anthropological history is replete in the Navajo indifference. The Congressional and Legislative history is replete. The Hopi and Navajo have been in conflict since 1950 to today.

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Congress have recently recognized the conflict, have taken actions to remedy the conflict by the resolution of the '64 Land Acts, the Northern Arizona Strip and its non-Indian communities.

Relevant populations statistics in the district were taken from Census redistricting data as follows: Total population, 170,795. The racial breakdown is 50,562 white, 6,157 Hispanic, 1,899 black other minorities, 112,177 Native Americans. The total minority population is 120,233. When you further breakdown this population, of the Native American category, you will note then that the Navajo is far and away the largest overall population within the Navajo or Native American population. The Navajo Nation having total population of 104,565, the Hopi Tribe with 6,816, Havasupai, 503, Haulapai, 1,351, Kaibab with 220. A total of 113,455 total Indian non-Navajo population, 8,990.

The significance of these numbers is clear. Navajo votes will always overwhelmingly overwhelm the Hopi in non-Navajo tribes. Moreover, even if we accumulate the votes of whites, estimated at 37,376 Hispanic; other minority, 4,768; other non-Navajo Indians, 4,000; 46,394 votes; it still leaves a deficit of approximately 15,000 votes between Navajo, voting age

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population, and other populations within the district.

Navajo voters will elect Navajo representatives in every election for at least the next 10 years. Based upon prior experience with Navajo representatives, the Hopi will not have a political voice, and it's doubtful any other non-Navajo Indians would either. The status quo will simply continue for the Navajo in the current District Three under the existing plan. Navajos will continue to hold two house seats and one Senate seat.

The Navajos are not hurt by the loss of Hopi population from the proposed district. This is true if a separate population of equal size is substituted in the Hopi's place. And it's true, even if it is not.

The 15,000 vote cushion that Navajo would enjoy in the new district would not suffer from the loss of the Hopi votes. Any redistricting plan that would, according to the guidelines, operate to minimize or cancel out voting strength, political strength of voting population, i.e. voting tribe.

Hopi population submerged with hostile Navajo population raises serious issue. The issue of the Hopi is unfair representation. We're not arguing the Hopi are being deprived of the right to vote or the

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Phoenix, Arizona
Hopi vote is not counted, instead, we argue fair and effective representation is not possible for members of the Hopi Tribe within the Navajo dominated district. We also argue the diluting weight of the Hopi votes simply because of the Navajo Reservation geographically because the Navajo Reservation impairs the basic constitutional rights of the Hopi people under United States Constitution.

The Navajo-Hopi redistricting dilemma case, the Hopi geographically from a racial group, the Navajo, have a significant choice to the influence process within the State Legislature as a whole.

The purpose of redistricting is to produce a different, more politically fair representation be reached under the current plan or some other plan. The redistricting plan that places the Hopi within the Navajo dominated district would not produce politically fair results for the Hopi because of the historic animosity between the two tribes. The Hopi will have less opportunity to participate in the political processes and elect candidates of their choice. Hopi believe, therefore, in a conclusion in Navajo-dominated district it would also lead to lack of responsiveness of those elected within the district, namely the citizens of the Navajo Nation to concerns and needs of the Hopi.
people.

Navajo legislators elected by Navajo majority cannot be impartial in their treatment of the Hopi Tribe, as experience has demonstrated. The history of the Hopi efforts to garner Navajo support bears out the concerns any Navajo elected state Legislature will ignore the interests of Hopi districts from the Hopi constituents of people.

Placing Hopi in with Navajo dominated people will be consistently degrading the Hopi vote and Hopi ability to influence the political process as a whole. This result will constitute an unconstitutional denial of the Hopi people's chances to effectively influence the political process.

Hopi rights will be violated in the redistricting process with one influence, racial ethnic influence. The ethnic political priorities now occupy a position of strength at a particular time for the disadvantage of a politically weak segment of the community.

We urge you in the strongest way to please consider our views and to honor our strong desire to maintain separation within both the Legislative Congressional Districts.

CHAIRMAN LYNN: Chairman Taylor, if you

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Phoenix, Arizona
would remain at the podium in case there are any
questions.

I have one. I pose this question, Chairman Taylor, not to state a point of view, but to elicit a response.

Because of the size of the Hopi, that is something short of 7,000 persons, no matter where you are located in a district, and that district which would have, at minimum, 171,000 people in it, regardless of the composition of that group, the Hopi will be a political minority in that group regardless. I take it from your testimony that the Hopi would prefer to be in a district where, by all accounts, if they were removed, as they are in the Congressional plan, they would prefer to be in a district dominated by non-Indian people as opposed to being in the district dominated by Navajo.

CHAIRMAN TAYLOR: That's correct.

CHAIRMAN LYNN: I take it it's your opinion the fortunes of the Hopi would be better cared for in that scenario than the other?

CHAIRMAN TAYLOR: That's been the experience we've had by being separated these 10 years. We've had much better experience being separated from the Navajo. That's what we want, to maintain that.

CHAIRMAN LYNN: Could you give us an idea,
I know it's difficult, and I know it's not only federal issues, which the Congressional District bear the most impact on, state issues, could you give us an idea kind of the state issues most important to the Hopi which could affected one way or the other by inclusion or separation from the district?

CHAIRMAN TAYLOR: Maybe I can share an experience from the last Legislative session as an example.

At the beginning of the session there was discussion about having a bill that would provide for senior centers for the reservation communities. The Hopi attempted to be a part of this process and we were successful in being included in the process. But there were three separate attempts by representatives of District Three, the Navajo dominated district, to try to exclude the Hopi Tribe out of this package. And were it not for us having our own separate representatives in District Two, and also with the support of other representatives here in the south and others, that we were successful in actually coming out at the end of the day with funding for our senior centers.

CHAIRMAN LYNN: Chairman Taylor, if not included in the current draft Legislative District, do you have a preference as to where the Hopi might best

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fit in the rest of the scheme that you see in the Legislative draft map? And I have one here if you would like to look.

CHAIRMAN TAYLOR: Can I look at that?

CHAIRMAN LYNN: Absolutely.

CHAIRMAN TAYLOR: I do appreciate the challenge you all have in trying to address the concerns of the Hopi.

We would then very likely be considered to be part of Legislative District C.

CHAIRMAN LYNN: Any other questions or comments for Chairman Taylor?

MR. RIVERA: Chairman Taylor, I asked this question when you were up there.

Do you know of any authority to recognize individual Indian Tribes for protection under the Voting Rights Act as opposed to Native Americans as a whole?

Do you understand my question?

CHAIRMAN TAYLOR: I am aware of basically the tenants of United States Constitution, specifically the 15th Amendment, where it calls for equal representation. And that's all we're asking for.

MR. RIVERA: Do you know of any case that recognizes the Hopi, a specific Native American Tribe, as protected as opposed to Native American Tribes in

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general.

CHAIRMAN TAYLOR: Individual Native American tribes or nations, such a Hopi?

MR. RIVERA: Yes.

CHAIRMAN TAYLOR: We, in the last redistricting round, the Hopi Tribe filed a lawsuit, again, to remain separate from the Navajo Nation. We were successful.

MR. RIVERA: Fair vs. Symington?

CHAIRMAN TAYLOR: Yes.

CHAIRMAN LYNN: One last question.

I apologize. I'm not wanting to belabor the point.

Wanting a full and complete understanding of the Hopi position, with all the tribal positions on the map, I know I asked quickly, your first impression is if not in A, then you'd like to be to linked C, close to the kind of configuration that exists for the Congressional map.

CHAIRMAN TAYLOR: Right.

CHAIRMAN LYNN: There might be another option which is not District E, which is at the mideastern part of the state, which does include other Native American tribes in the district as it is currently configured. I'm wondering if that presents an

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Phoenix, Arizona
alternative option, if you will, to inclusion in C.

COMMISSIONER HALL: Correct me if I'm wrong, Chairman Taylor. It also includes other lands you own in addition to your current base; is that correct?

CHAIRMAN TAYLOR: It is true, although the majority of those lands in question are in the Legislative District C.

CHAIRMAN LYNN: Okay.

Thank you, Chairman Taylor, very much. We appreciate your time.

Mr. Lewis.

MR. LEWIS: We have a couple of other officials from the Hopi Tribe.

Gilbert Lewis, Hubert D. Lewis, Governor of the Upper Moenkopi Hopi Tribe.

MR. LEWIS: Good afternoon, Commissioners, good afternoon. I'm Hubert D. Lewis, Governor of the Village of the Upper Moenkopi Tribe and the Hopi Tribe. I'm currently the Elected Governor of the Tribe. I was present at the meeting in July 2001. And the statement, as stated by many in Arizona, coming past, they do not realize the Village of Moenkopi are part of the Hopi Reservation.

2100 years ago, my ancestors came from

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Phoenix, Arizona
Moenkopi, from Oraibi, and started a site at Bitter Springs, a perfect place for farming. And we continue this tradition today. Unfortunately, our ancestors did not take into account the difficulties such a small village of interest might encounter in the 21st Century in the political process, largely due to our cultural heritage, the difference between Hopi and Navajo.

It's quite difficult to agree on differences in our fair community. Moenkopi and Araibi City are very unique communities to be in. The city, in fact, the communities share almost same the services, US government, state government, and county governments. Moenkopi included in Congressional District Three is not included in the same government Legislative District as the rest of the Hopi Reservation, is still part of the Arizona Legislative District Three which is constantly represented by Navajo Legislators. As a result, Hopi Moenkopi are engulfed by the Navajo make-up of Legislative District Three, though the Hopi Tribe, through the Hopi Tribe, often depends on District Two Legislators to get the voice to our concerns at the state level. Otherwise, our Legislative voice subsides to the overwhelming presence and presence of the Navajo people.

We have worked to cooperate with the

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Phoenix, Arizona
Navajo Nation over the years. However, our isolation as a very small village and much larger minority community frequently are at odds with us making and bringing out issues to the political forefront which are extremely difficult.

As you work through the redistricting process, please include the Moenkopi in the same Legislative District as the rest of the Hopi Reservation. This will finally provide Moenkopi opportunity to participate in the political process at the federal and state level in a meaningful way.

I want to thank you for hearing me out.

CHAIRMAN KUWANINVAYA: I'm Cedric Kuwaninvaya. And I am also a member of the Hopi Tribal Council.

Throughout history the Hopi witnessed arrival of many people within traditional Hopi land stretching out from our mesas. Starting in the 1500s, the Spanish arrived looking for gold. Starting in the 1600s, missioners followed. We defended our villages on mesas from raiding youth and Apache tribes over the next 200 years as well. Then Anglos, bahanas (phonetic), as well as representatives of Mexico, began arriving in the 1800s, along with more missioners. By the 1850s and '60s, the Navajo, a nomadic people who raised livestock

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Phoenix, Arizona
and moved frequently in search of grazing land, began to
overtake traditional Hopi land. In contrast, Hopis
everyday life was and still is linked to ceremonial
lands. Each land means life for its many simplicities.
Simply moving on was never an option for the Hopi. Thus
the ever presence of Navajo was an increasing problem
for the Hopi.

We appealed to the President in 1882
asking for boundaries for grazing land and to protect
the Hopi. We fought Washington over the years to
protect our land from the Navajo whose reservation was
many times larger than the Hopi and whose completely
surrounds us. We recently completed the relocation of
85 percent, 95 percent of families remaining on Hopi
partition lands as required in the 1996 Navajo
Resettlement Act. These lands are part of the Hopi
Reservation.

We urge you to place these lands, all of
which are within the Hopi 1882 Reservation, into our
current Congressional and Legislative Districts.

As of February 1st, 2000, these lands are
officially now under the jurisdiction of the Hopi Tribe.

We are very much -- we very much want the
entire Hopi Reservation as a community of common
history, culture, tradition, including the village of

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Phoenix, Arizona
Moenkopi to the west. Such history is important in protecting the political desires of fair representation of such a comparatively small tribe's populations. Thank you for listening to this bit of history. I hope it helps you to understand that we want to be separate from the Navajo.

Thank you.

CHAIRMAN LYNN: Thank you, sir.

Questions.

Ms. Minkoff?

COMMISSIONER MINKOFF: I wonder if you could also look at the Congressional map for me and -- no, Congressional, and when you spoke of all of those lands. What I want to know is as this Congressional District is currently drawn, does it draw in all of the lands that you mentioned?

CHAIRMAN KUWANINVAYA: Yes. I believe it does.

COMMISSIONER MINKOFF: So you are comfortable with the boundaries of that particular area?

CHAIRMAN KUWANINVAYA: Right.

COMMISSIONER MINKOFF: Okay. Thank you.

CHAIRMAN LYNN: Thank you.

Mr. Lewis.

MR. LEWIS: Next presentation, Frank

ATWOOD REPORTING SERVICE
Phoenix, Arizona
Seanez, attorney, Navajo Nation.

CHAIRMAN LYNN:  Mr. Seanez.

MR. SEANEZ:  Good afternoon, Chairman Lynn, Commissioners. The Navajo Nation appears before the Commission once again to support the Navajo Nation's plan for both the Congressional and Legislative Districts. The Navajo Nation supports the work done by the Commission and consultants in pursuit for fair redistricting by the State of Arizona.

As already noted by the Commissioners, it's not yet at that. Specifically, the Congressional giraffe map -- I mean giraffe map, does not meet the requirements of the law. Currently there is a contiguousness achieved for Congressional District A which is obtained only through a total abandonment of the compactness standard. The linkage of Hopi Tribal land base of including less than 7,000 Hopi individuals is achieved only through a hundred mile and over two-sided vertebrae of corridor which simply does not meet the compactness standard.

As well, the placement of the Hopi Nation within Congressional District A will not assist Hopi and Hopi voting strength.

The proposal now would include the Hopi Nation in a Congressional District which contains only

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Phoenix, Arizona
2.75 percent Native Americans as opposed to Congressional District C which currently stands at 23.23 percent Native Americans, as indicated within the statistical sheet which was distributed with the citizen kits today.

As well, the Navajo Nation continues to fully support the Legislative District which it submitted to the Commission on June 24th of this year. As the Navajo Nation previously supported, benchmark plan, 1993 plan, infused with 2000 Census data, would require a Legislative District containing 75 percent Native Americans. As noted today, the current population of Native Americans as set forth in what is now noted as Legislative District A, would be 65 percent. That's a 10 percent drop in Native American population. The current Legislative District, Legislative District Three, benchmark plan, infused with 2000 Census data, contains a Native American voting age population of 70.5 percent. Under the current proposed Legislative District A, that would be reduced to 60 percent. That's, again, a 10 percent drop in Native American voting strength. The Navajo Nation remains extremely concerned that that kind of drop would not sustain itself against a challenge under Section Two of the Voting Rights Act and even under a section pre-
review by the United States Department of Justice.

The Navajo Nation's recommendation was to include the entirety of Apache county as well as the White Mountain Apache Reservation and San Carlos Reservation within the same district, Legislative District, and Navajo Reservation.

We met again this afternoon with Vice Chairman Sneezy of the San Carlos Apache Tribe. And Vice Chairman Sneezy asked us, once again, to convey to the Commission the strong and continued support of the San Carlos Apache Tribe for inclusion within the same Legislative District as the Navajo Nation. The Navajo Nation maintains inclusion of both the San Carlos Apache Tribe and White Mountain Apache Tribe in the same Legislative District as proposed by the Navajo Nation and as supported by resolution of the Tribal Council of the White Mountain Apache Tribe is necessary to bring the Legislative District within the same numbers as are contained now within the benchmark plan, Legislative Three, as infused with Census 2000 data.

The inclusion of the Hopi Nation in Legislative -- in Legislative District C, as requested by Chairman Taylor, would place the Hopi Tribe in a district with a Native American population of only 5.53 percent and a voting age population of only 4.61 percent.
percent. The Navajo Nation maintains that is not maintaining the voting strength of the Hopi Nation. And that is not required by either the Voting Rights Act or by the United States Constitution.

The inclusion of the Hopi Tribe within proposed Legislative District E would place the Hopi Tribe in a Legislative District with a Native American population of only 16.41 percent as well as a voting age population of only 13.34. Neither of those results are required under the Voting Rights Act nor the United States Constitution nor do they assist in strengthening the voting rights of Hopi nor of Native Americans which is the class which is recognized by the Voting Rights Act itself.

There has been mention of a federal district court decision relative to, specifically, to Hopi voting rights, Arizona for Fair Representation vs. Symington. As the Navajo Nation previously noted, that decision did not at all address Legislative Districts, district. The court, judge, specifically noted the decision did not address the Legislative District at all. The Navajo Nation notes once again the Navajo Nation was not a party to that lawsuit although it did submit an amicus brief. The Navajo Nation was not a party to the suit nor was it party to the settlement.
The parties, the Navajo Nation maintains, simply did not have Hopi separation as a main issue in the litigation, and that is a major reason for the separation within even the Congressional District.

The Navajo Nation objects to any characterization of that decision as requiring on the federal level, federal decision of law, separation of the Hopi Nation and the Navajo Tribe.

Chairman Lynn and Commissioners, I don't want to belabor the issue, especially as other speakers are waiting to get to the podium.

Thank you very much for your continued attention to this matter. I'll stand for any questions you may have.

CHAIRMAN LYNN: Thank you, Mr. Seanez.

Ms. Minkoff.

COMMISSIONER MINKOFF: Mr. Seanez, I have a question. Please understand in asking this question I really am trying to understand the issue that has been presented.

Your concern, as I see it, is with voting strength, Native Americans voting strength. You've referred to the Hopis, and they've made it very clear their desire is not to be in a district with the Navajo Nation. If necessary, they'd prefer to be in district
with little or no Native American population. Based on that, it seems to me they would be less likely to vote for a Native American candidate if that person was a candidate and if there was another viable candidate available. So please help me understand from the Navajo point of view how you believe it assists you to have the Hopi included in a Legislative and Congressional District with you when they've made it clear their interests are elsewhere and they do not see themselves voting the same way as the Navajo.

MR. SEANEZ: Thank you for the question, Vice Chairman Minkoff. I'll be happy to address that.

There is no indication whatsoever, no statistical information presented, to my knowledge, nor generated by the Commission, nor consultants, which indicates the Hopi vote in a politically cohesive manner against the Navajos or in a way different than the Navajos. I believe at such time as the Commission may be able to access such data, thus far, I'm unaware the Commission has been able to access any such data from its consultant, EDS, or from other sources, that Navajo and Hopi have voted differently or that the Hopi Tribal members have voted politically cohesively in a way different from the Navajos.

I believe at such time as the Commission

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Phoenix, Arizona
does receive any data, especially with regard to matters
which would tend to bind Native Americans, as Native
Americans together, such as the vote on Proposition 203,
the English only proposition, that the Commission will
find that Navajos and Hopis and members of other Native
American tribes vote politically cohesively in a way
similar to each other.

Chairman Lynn?

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: Good to see you again.

Good answer.

You indicated you visited with Vice
Chairman Sneezy and he indicated on behalf of the San
Carlos Apache Tribe they'd support your proposal. I
assume you'll be providing us his written support in
that respect?

MR. SEANEZ: Chairman Lynn and
Commissioner Hall, the -- we will communicate to Vice
Chairman Sneezy any request the Commission may have for
written confirmation of our discussions of this
afternoon, and we will request that he provide a written
confirmation of the same. As well, I believe that the
Commission still has within its records copies of the
records of the White Mountain Apache Tribe's Tribal
Council resolution in support of inclusion within the
Legislative District.

COMMISSIONER HALL: Are you aware, is Chairman Stantly also in agreement with Vice Chairman Sneezy's position?

MR. SEANEZ: Chairman Lynn, Commissioner call, we did not have an opportunity to speak with Chairman Stantly this afternoon. We'll be attempting to have further meetings with officials of both the Apache tribes in order to further document and firm up support of the Apache nations for the Navajo Nation proposal.

CHAIRMAN LYNN: I think point the of Mr. Hall's questions was he wants to be on record with support, just as we've been with counties, cities, other representatives of the Native American tribes within the state, and to the extent you can help with that, we appreciate it.

MR. SEANEZ: Thank you, Chairman Lynn.

CHAIRMAN LYNN: Mr. Lewis?

MR. LEWIS: Next is Leonard Gorman, Chief of Staff, Office of the Speaker of the Navajo Nation. Good afternoon, Chairman Lynn, Members of the Commission.

While fresh on mind regarding the discussion with attorney Frank Seanez, we had the opportunity to meet with Chairman Stantly prior to the
hearing you had in Window Rock and at which time it was
signified by submitting a letter from Chairman Stantly
he is in support of the Navajo Nation's plan. So we did
have an opportunity not only this afternoon, like we did
with Vice Chairman Sneezy, we met with Chairman Stantly
on his home turf in Globe before the Commission met in
Window Rock.

I wanted to point out several issues to
you today primarily to reiterate what Mr. Speaker Begay
said to you at our Tucson meeting.

We would like to thank you for also
scheduling another hearing on Navajo land at Tuba City
on September 11th. We very much look forward to seeing
you again and are hoping we would surprise you with some
more elaborate gifts.


MR. GORMAN: A very good sale.

The Navajo has a very strong tradition
from generation to generation, century to century, in
which we strongly believe in our home land with the
state, as demonstrated to you in Window Rock. Window
Rock is the headquarters of the Navajo Nation. The
Navajo Nation sprawls out to three states: Window Rock,
Arizona, and New Mexico. The extreme boundaries are
generally within the sacred mountains. The Navajo
people believe in their hearts, the Sanman Peaks is one of the most sacred mountains of the Navajo people. You can understand why the Navajo people hold that mountain in its hearts.

The Navajos have pleaded to come back to the sacred land that was taken by Fort Sumter in the 1860s, over a century ago, has pleaded with the federal government to return to their home land, and requested not to go anyplace else except back to their home land with their sacred lands. That's where the Navajo is coming from.

Regarding the redistricting issues, we go beyond the issues we've spoken about regarding matters between tribes. The Navajo is very interested, as our attorney has stated, in the bench mark. We want to maintain the bench mark. We're very, very concerned about the drop of 75 percent, from 75 percent to 65 percent. And that's where we in part appreciate the Congressional plan that you have forwarded to public comment.

It reminds me of my relatives on the Navajo land. They in this age not only utilize sheep dogs to tend sheep, they now are venturing to use llamas. The district reminds me of llamas on the reservation.

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Phoenix, Arizona
When I say I appreciate the ruralness of the district, I'd like to continue the efforts of assuring the district, District C, the ruralness of the reservation as recommended.

In looking at the llama, it extents from the head, and you find some numbers in that neck, about 15 people in that neck. And of them, four of them are Navajos, I believe. Because of that four, they are Native Americans, right at the end where the vertebrae goes into the Navajo Nation.

So I believe that may be Navajos in that area, classified as American Indians.

The other point I want to make is the area drawn out to connect to the Hopi Reservation, in the southern part in that area, in that Census block, is about 11 people. I'm assuming those are Navajos. I don't have the data. So there is the possibility that there are Navajos throughout that corridor that you have drawn out for public comment.

So we also are concerned that those people may be picked up. We do continue to support and need to keep that area away from the Metropolitan Phoenix area.

Other issues that continue to be involved is commonality of the Native American tribes. There are vast issues of similarity of the Native American tribes,

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Phoenix, Arizona
not only the Native American tribes but the whole United States on the issues of roads. That impacts the Native Americans. The struggle to maintain a significant amount of road funding for Native Americans, that funding on Native American lands; the struggle to maintain sufficient and adequate funding for schools on Indian land, State Funded schools. A lot of schools have multiple tribal membership.

As I believe was presented earlier in the City of Tuba City, the school district there, Tuba City School District, there are multiple students from different tribes, Navajo, Hopi, that attend that school, same interests, same needs, curriculum there.

We deserve the same. IHS, Indian Health Services, we have the same needs in that area. Look at 264 running from Window Rock to Tuba City, the Window Rock right-of-way. It never stops before that island. It doesn't. It goes through. The same people that go through the island, people, Hopis, Thieves Canyon, deserve the same smooth road.

That's what we're talking about between the Navajos and Hopis, specifically. There are similar needs. We have similar common interests on those issues.

We also have many inter-marriages, as the

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Phoenix, Arizona
speaker stated, between the Hopis and Navajos. It's very, very difficult to say who is Hopi and who is Navajo. We, our council, our council respect the choices our relatives made in those areas.

With that, I appreciate and look forward to seeing you again not only here, hopefully I'll be able to make it at Kingman and then at Flagstaff, Tuba City, having more opportunity to provide more elaborate information at Tuba City.

Thank you.

CHAIRMAN LYNN: Thank you, Mr. Gorman.

Questions or comments for Mr. Gorman?

Mr. Hall?

COMMISSIONER HALL: Mr. Gorman, you indicated there are approximately 50 people. Our records are showing only four. So I'm wondering if there is information we may not have. Is there something we're missing there?

Am I correct?

DR. ADAMS: Yes.

MR. GORMAN: Chairman Lynn, Commissioner Hall, I stated 15 people.

COMMISSIONER HALL: Fifteen.

MR. GORMAN: Fifteen people, four identified as American Indians. Four is the voting
block adjacent to the Navajo Nation.

COMMISSIONER HALL: Our records show only,

Census 2000, show only four people total, in that whole
connecting strip. That's why I was just asking.

DR. ADAMS: We'll double-check.

CHAIRMAN LYNN: If you have different

numbers or numbers we should look at, please provide

them.

MR. GORMAN: Sure.

CHAIRMAN LYNN: Mr. Lewis.

MR. LEWIS: Gary Watchman, Chief of Staff,

Navajo Nation, Chief of Staff of the President's Office.

CHAIRMAN LYNN: Mr. Watchman.

MR. WATCHMAN: Thank you.

Good afternoon, Members of the Commission.

It's a pleasure to be here and say a few words on behalf

of the Office of the Navajo Nation.

I and the Office of President Begay are

here to add a few comments to what the Legal Office said

and also Mr. Gorman.

The information we submitted to you,

documentation, the document we presented to you on June

25th, in part, still represents the views of the Navajo

Nation. And in reference to what our friends from the

Hopi Tribe had indicated, the Navajo Nation has been

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Phoenix, Arizona
spending a lot of time looking at this very difficult land dispute issue. It's quite evident it's emotional, not only to the Navajo but Hopi.

The land area, there are a lot of people, Hopi, that are friends and a lot that are enemies.

When you start looking at dealing with the State of Arizona and dealing with the United States Government, there a lot of differences, we believe, that turn into commonalities.

There are many issues, we pointed out, you have to work together on on funding, on securing and trying to preserve the notion and principles of sovereign immunity.

There's been some recent court cases that have drastically and will drastically impact the sovereign status of Native Americans, including the Hopi, including the Navajo Nation.

Despite what I heard earlier about the differences, we have been working with the Hopi to try to seek some voice here in Phoenix with the Arizona Legislature, try to seek commonality and voice in Congress.

The senior citizen issue spoken to earlier, we actually worked together. We believe if it weren't for the Navajo working with Hopi, there would be
no senior citizen money to any tribe. So we fought hard
to try to insure that the Hopi Tribe was a part of us.
We actually represented that to the Governor and the
state.

We have a lot of commonalities with the
resources we share in the coal mining activities. So we
benefit each other.

Water is a big issue. It is now that
we're starting to realize that we have to work together
to address the water issue. It's common knowledge that
there is, you know, a big aquifer up there. If we don't
work together to address it, we'll have nothing left.
So it gets back to what we believe is the community of
interest.

Looking at your latest Congressional
District proposal and your latest Legislative proposal,
the Congressional District, which you have right now,
which excludes Hopi, puts Hopi in District A, and leaves
the Navajo Nation with the other tribes. We feel that
that severely diminishes the Native American vote. And
what we're looking at is not today, but we're looking at
the next 10 years. We believe that by including Hopi in
both the Congressional and Legislative issues, that we
will grow so we can have a presence.

In addition to the Hopi, there's the

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Phoenix, Arizona
Hualapai Nation, the Havasupai, San Carlos, White Mountain Apache, Kaibab-Paiute, we've been trying to work with them to suggest and see if we could come forth as one, particularly on Congressional issues, so we all have one voice in Congress, again because there's a couple companies out there that are suggesting that Native America should no longer be separate. That's what we're trying to impress upon our tribal brothers and sisters. You, as a Commission, keep Native America intact, as you're really looking at the Native America proposal, both Congressionally and Legislatively.

Speaking to the Legislative Districts, there are some concerns that perhaps Navajo dominates, and that that is a fact and goes down to the fact of the Navajo Nation being a larger populated tribe than the other tribes and also than smaller cities. I do know for a fact three legislators have been working hand in hand with not only their Navajo members but with all the members, because they do feel that from a rural perspective, the rural perspective has to be presented in the state Legislative.

When you come down to the State Legislature, lines start to be drawn between rural and urban. The Legislators are trying to protect the rural interests. It's no secret if you look at

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Phoenix, Arizona
appropriations, legislation, appropriations in Phoenix and Tucson most often prevail, in some cases Flagstaff.

When you look at small towns like Tuba City, Page, Kingman, Winslow, Holbrook, Moenkopi, Araibi, we tend to get the short end of the stick. So by keeping the numbers that we present, we feel it will give us a stronger voice.

What I wanted to do was include our particular portion of Navajo, that the proposals right now are. That's on the table, is somewhat agreeable to what we have on our June 25th.

Obviously we have some hearings coming up September 11th, and so forth. We'll have some particular forms we'll present to you.

Thank you for giving me the time and also the other the tribes time.

CHAIRMAN LYNN: Thank you, Mr. Watchman.

Mr. Lewis?

MR. LEWIS: The next presenter is Louise Benson, Chairwoman, Hualapai Nation.

CHAIRWOMAN BENSON: Thank you, Mr. Lewis. Good afternoon, Commissioners. I'm Louise Benson, LOUISE, BENSON, Chairwoman for the Hualapai Nation.

Thank you. It's very interesting to

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Phoenix, Arizona
listen to the presenters earlier before me, and I promise you I will only take about one minute, put a smile on your face.

Looking at the maps, proposed maps, you can see the Haulapai, Havasupai up in northwest. The Haulapai, a bigger tribe from the Havasupai and Kaibab. In -- I think in the Legislative, we were always split. But it looks like both the Congressional and Legislative areas that are proposed, C and A, I think it includes my whole reservation now. We really don't have no objections to that. I think that that will work for us. I just wanted to, in all due respect, you know, for the Hopi Tribe, I just want to support their request they are making to the Commission. They are their own tribe, you know, and they do have issues. They are unique. The two tribes, the Navajo and Hopi Tribe. I think that their request should be respectfully, you know, considered. I just wanted to say that.

And again, I just wanted to thank you. And you have a big job. And I think it's easier prior to doing this, Legislative, and Congressional. And setting the maps up and State of Arizona, and there's big disagreement. And you have to deal with us, and it's a bigger job than you have in the past. You have a

ATWOOD REPORTING SERVICE
Phoenix, Arizona
big job ahead of you.

Thank you very much.

CHAIRMAN LYNN: Thank you, Ms. Benson.

(Small children disrupt the proceedings momentarily.)

MR. RIVERA: Voting age population.

CHAIRWOMAN BENSON: Next thing. Will you be able to get copies of this?

CHAIRMAN LYNN: Copies of the testimony will all be available publicly.

CHAIRWOMAN BENSON: Thank you.

CHAIRMAN LYNN: Mr. Lewis?

MR. LEWIS: Protesters.

CHAIRMAN LYNN: We didn't get their point of view. We knew they were angry about something, didn't know what.

MR. LEWIS: David G. Ramirez, Vice Chairman, Pascua Yaqui tribe.

CHAIRMAN LYNN: Mr. Ramirez.

VICE CHAIRMAN RAMIREZ: Good afternoon, Mr. Chairman, Members of the Commission.

The tribe objects to the district plan. The proposed alignment violates the spirit, if not the word, of the Voting Rights Act of 1965. Specifically, the proposed map divides the community of the tribe into

ATWOOD REPORTING SERVICE
Phoenix, Arizona
four different districts, thus leaving the members of the tribe with less opportunity than the members of the electorate to participate in the political process and elect representatives of choice. Members of the tribe live in four areas of the metropolitan Tucson area: in Pascua Pueblo, in South Tucson, in Marana, and the area which has come to be known as Old Pascua. The proposed map places each of these communities in distinct districts. Those placements only serve to leave the members of the tribe with a diminished ability to participate in the political process and to elect representatives of their choice. As such, the tribe objects to the district map, and instead requests the Arizona Independent Redistricting Commission to realign the proposed districts so as not to balkanize the voting strength of the members of the Pascua Yaqui tribe.

CHAIRMAN LYN: Mr. Ramirez, a couple questions, if I may. We may have lost -- I guess I'm on. Thank you. A couple questions. In testimony in Tucson, both on Saturday and last evening, there was significant testimony regarding the four areas of Tucson that have enrolled.

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Phoenix, Arizona
Pascua Yaqui members, and they are separate in terms of geography.

VICE CHAIRMAN RAMIREZ: Yes, sir.

CHAIRMAN LYNN: Can you tell me the relationship of the four areas of Tucson of the Pascua Yaqui tribe?

VICE CHAIRMAN RAMIREZ: There are two main communities, the town of Guadalupe and small a community in Scottsdale. That's the four communities in the State of Arizona.

CHAIRMAN LYNN: You are asking for communities in Tucson to be unified if possible. Can you give us, as I asked the speaker the other evening, any numbers of the people in non-Reservation areas, South Tucson in particular? Old Pascua, I believe, is referred to as U in Pueblo.

VICE CHAIRMAN RAMIREZ: Yes sir. I don't have the numbers with me. Old Pascua, close to 300 members. In the South Tucson area, about 150 members. And Young Pueblo in Marana, about a hundred members, which at the present time are in the same district, the district right now in place.

CHAIRMAN LYNN: Right. We would appreciate those official numbers, if you can get them to us.
VICE CHAIRMAN RAMIREZ: Yes.

CHAIRMAN LYNN: Other questions for Mr. Ramirez?

DR. ADAMS: Thank you.

I'm just wondering, you mentioned four community areas.

VICE CHAIRMAN RAMIREZ: Yes.

DR. ADAMS: I managed to get three. What is the fourth?

VICE CHAIRMAN RAMIREZ: The res. The Pascua Yaqui Reservation.

DR. ADAMS: The actual reservation is the fourth?

VICE CHAIRMAN RAMIREZ: Yes.

CHAIRMAN LYNN: Thank you.

MR. LEWIS: The next presenter is Ivan Makil, President of the Salt River Indian Community.

CHAIRMAN LYNN: Mr. Makil.

PRESIDENT MAKIL: I'd like to thank you.

I appreciate the opportunity to speak with you and share some concerns and issues we have with the redistricting process.

The Salt River Pima Indian Community is pretty much located and surrounded on almost all four sides by the Phoenix Metropolitan area, surrounded on
the north by the City of Scottsdale, and the west, on
the southwest by the City of Tempe, on the south by the
City of Mesa, on the northwest by the community of
Fountain Hills. So while we ascribe to the idea of
trying to maintain the common interests of tribes and
work together in that way, and we do support those kinds
of efforts, unfortunately in this situation, regarding
Legislative issues, our issues are probably more rural
in nature than many tribes. We are unique because of
our location, and we have, because of the growth around
us in the metropolitan area, and having to respond to
more urban issues than many other tribes, many of our
issues relate to transportation corridors. I'm trying
to think of the proper term, but utility corridors. We
have common boundary issues with almost every one of the
surrounding jurisdictions that I mentioned, joint
projects, both federal and local projects with almost at
least -- one out of each one of those jurisdictions that
I have mentioned. So most of our issues are urban
issues. We continue to have and foster those
partnerships, not only with the surrounding
jurisdictions but with local businesses in the area.
And whenever there are issues that become Congress or
Legislative issues, we find that many times we have some
commonalty with surrounding entities we may do business
with, aside from governments, aside from private sector. There are a number of issues that are really important. Therefore, it's what our interest is, and again, respecting the idea of working together with tribes, it is that we need to be in District E as opposed to District C, and for the reasons that I just mentioned on the Congressional side. On the Legislative side, we believe that the position can be maintained in District W.

I think it's, for us, as simple as that. I'd be glad to answer any questions you may have.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: Thank you, Mr. Chairman.

Mr. Makil, I have a question. I met with the representative of your community yesterday who explained to me your concern about the current Congressional District, and I've been looking at it since then and trying to see how we handle the ripple effect that I spoke of earlier. You have just expressed your desire to be in Congressional District E.

PRESIDENT MAKIL: That's correct.

COMMISSIONER MINKOFF: I'm trying to figure out how population can be moved around. The
gentleman I met with yesterday, Mr. Moore, told me you
also have a lot of connections with Mesa. Many children
attend Mesa Public Schools, and so on.

Would District F be an option if that were
more doable or is E the only one that works?

PRESIDENT MAKIL: E is the preference.

There are many reasons for that.

We probably have -- while we have issues
and agreements with the Mesa portion, part of what our
growth is telling us is that we have even more issues,
particularly with the City of Scottsdale, particularly
because we have extensive interaction with them on our
western and northern boundaries. And that good and both
negative and positive. But it is important for us to be
able to work out whatever those issues come about,
especially Congressionally, with the city.

COMMISSIONER MINKOFF: Thank you.

CHAIRMAN LYNN: Any other questions for
Chairman Makil?

Thank you for being here this afternoon.

We appreciate it.

Mr. Lewis?

MR. LEWIS: Next, Chairman Edward D.
Manuel, Chairman, Tohono O'odham Nation.

CHAIRMAN LYNN: Chairman Manuel, good

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afternoon.

CHAIRMAN MANUEL: I'm Chairman Edward D. Manuel, M A N U E L.

First I want to thank you for having the hearing here for tribal leaders. I want to thank you, too, compliment you for all the work that you've done.

I want to look at the Congressional District, the draft Congressional District.

From the Tohono O'odham Nation, we don't have a problem the way it is drafted. The only thing not included on the nation lands is the San Tano Districts up in Gila Bend.

While we knew there would be a problem with it anyway, because it's so far off the nation's land, with so many speakers, while it violates the Florence community, we've never had the Florence community in with us in our history before, so that's good.

That's the only thing I want to make, only comment I want to make on that one.

On the Legislative District, the way it's drafted is fine. But I'm hearing that there is another draft floating around somewhere about changing the south eastern corner of Arizona, which is W, into -- pulling it into Y. We would have a problem if that happened.

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We would prefer what Gila River proposed earlier, from Mr. Bohnee, that he stated that he would prefer that we be included as part of their district, which if a change, should be a change at the northern portion, because we have a lot in common with the Gila River and the Ak-Chin Tribe. In fact, we culturally were the same, the Tohono O'odham Tribes. We have a lot in common with them but don't have anything in common with the southeastern portion of the state. So we would object to that.

That's all I have.

CHAIRMAN LYNN: Chairman Manuel, I want to be clear because I thought I heard you say, again, alternative, plan you referred to is in fact plan a proposal first unveiled in Sierra Vista and spoken to in more detail in Nogales at our hearing which takes Cochise County, some portion of Santa Cruz, and comes up through the Tohono O'odham Nation. I thought I heard you say you didn't object to it but you preferred the recommendation of the Gila River Community. Please clarify that if I misunderstood.

CHAIRMAN MANUEL: Yes. We object.

CHAIRMAN LYNN: You do object to that. However, the proposal that more or less unified Pinal County, if necessary, to move south to get
sufficient population, which may include the Tohono
O'odham Nation, that you do not object.

CHAIRMAN MANUEL: No.

CHAIRMAN LYNN: That you do support?

CHAIRMAN MANUEL: Yes.

CHAIRMAN LYNN: Mr. Lewis.

MR. LEWIS: Dallas Massey, Sr., Tribal Chairman, White Mountain Apache Tribe.

CHAIRMAN MASSEY: Good afternoon,

Chairman.

Dallas Massey, Sr., MASSY, Tribal Chairman, White Mountain Apache Tribe.

Thank you for letting me express my thanks for all the good work you've done for all Arizona.

We've been reviewing the new draft Congressional and Legislative map presented at public meetings across the state.

As we look, we ask you to look again at the borders of the Northeast Congressional District which in the past is Apache land. Historically we have shared Congressional representatives with all Phoenix Metropolitan tribes.

We are concerned about the new disconnection between Apache lands, the Gila River, and Ak-Chin Native American communities. It is the position

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of the White Mountain Apache Tribe there exists
commonalities shared between our tribes. The community
tribes shared Congressional District 6. We ask that
they remain whole, that the Congressional lines are
redrawn. We also agree with the Navajo Nation, their
proposal about keeping Indian tribes together, the San
Carlos, White Mountain Apache Tribe Legislative
Districts.

I really don't have any other comments.

Congressional District, the main, both
Congressional and Legislative legislators, keep all
Indian tribes together. I believe we need to do that.
We recommend that.

The current distribution of population
growth, Native American representatives in Congress will
be rapidly diluted if these communities of interest are
not consolidated in new districts.

We ask you to keep together all tribes
currently presented in Congressional Districts.
I just want to thank you for the time and
your consideration.

Any questions?

CHAIRMAN LYNN: Questions for Chairman
Massey?
Chairman Massey, thank you very much.

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I hope you can appreciate the difficulty when we are expanding Congressional Districts from six to eight, and the need then is to redistribute population on the basis of the new target figure of 641,000 plus per Congressional District. It is difficult to impose eight districts where there were six and keep things close to the same. And I want to be clear, if we were not able to include all of the Native American populations that currently exist in your district, but for reasons of making eight districts would need to put primarily the -- I think you refer to Ak-Chin and perhaps the Gila River communities in different districts in order to make it work, could you comment on the remainder of that Congressional District from the standpoint of the White Mountain Apache?

CHAIRMAN MASSEY: We don't have no problem with the remaining boundaries up there.

CHAIRMAN LYNN: Thank you, Chairman Massey, very much.

CHAIRMAN MASSEY: Thank you.

MR. LEWIS: Next, Sonia Stone, Tribal Secretary, Colorado River Indian Tribe.

TRIBAL SECRETARY STONE: Sonia Stone, SONIA, STONE.

Good afternoon. Again, my name is Sonia

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Stone. I'm the Tribal Secretary for the Colorado Indian Tribe, Colorado River Indian Reservation, Parker, Arizona.

Basically I'd like to state for the record we're present and represented during this public hearing.

I'd like to emphasize each tribe is an independent sovereign government with the same status as the federal and state government, recognized within the US Arizona Constitution; therefore, we appreciate the Redistricting Committee acknowledgement to allow us to follow through with governmental process and submit an official statement of our concerns to the office. Plain and simple.

I'm sure you don't have no questions for me. That's all I really wanted to say.

CHAIRMAN LYNN: Thank you, Ms. Stone, very much.

TRIBAL SECRETARY STONE: Sonia.

MR. LEWIS: Next presenter, Herb Yazzie, Yavapai Apache Nation.

Herb Yazzie, Y A Z I E, Yavapai Apache Nation, attorney presenting the Chairman of the Yavapai Apache Nation.

We're most concerned it be included with

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as many other Indian Nations as possible in the same Congressional District. This is because the nation believes that it is time that the interests, concerns, and hopes of the nations be truly represented in Congress by representatives they themselves elect. We believe the committee or commission's draft of District Six, or District C, meets the nation's concern, such a district also furthers the district maintaining communities before interest. We wish to be in the same district as the other Apache Nations and the other Indian Nations in northern and Central Arizona. The nations is also concerned that all of its five parcel lands and lands it owns in Verde Valley be kept in the same Legislative District.

We mention this because proposed boundaries of both Congressional District C and state Legislative C are very near to the nation's lands. We urge you maintain the nation in the same district if you make further changes in the process.

There was mention of a ripple effect. We just want you to alert you to our concern. We believe the Commission's draft of the state Legislative District C meets the Nation's concern in this respect. The Yavapai people and Apache people of the Nation wish to thank you for your hard work.

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Thank you.

CHAIRMAN LYNN: Mr. Yazzie, would it be possible for the Yavapai Apache Nation to provide the Commission with specific locations that the Yavapai Apache's land specifically be very precise of where lines should be? We want to be respectful of where, we need specific lines of where to do it.

MR. YAZZIE: We'll do it.

CHAIRMAN LYNN: Other questions? Mr. Lewis.

MR. LEWIS: Next presenter,


Although we're only a few thousand, 7,000 of Hopi, it was until recently we had to drive an hour to reach a health care center. We no longer have to drive 50 miles or more to reach a doctor.

Sadly, challenges still remain. Many people have diabetes, serve kidney failure. They've had to travel a hundred miles to the nearest dialysis center four times a week. The good news is there is new hope for the health care center which includes a dialysis
center. Yesterday I was pleased to hear the center is now certified. Hopi people are a patient people. Our quality of life care is central to the family's health for the the prospect of future generations to enjoy. Over the last 10 years, we've enjoyed having access to a political process that's been successful in being able to stay closely with Congressional and State Legislators, Representatives, to insure support for funding the health care center on the Hopi Reservation.

I would like to make a point. I just added on to this when I heard the Navajo Nation, Derrick Watchman. He made an implication the Hopi voice would not be drowned in a request in a district largely represented by nonnative nations. We've been impressed with the attention they pay, that the Hopi are supported by the current two Representatives, which is exemplified as has been seen in the success by the Hopi with specific Representatives by leveraging Congressional Legislative support in more than one district, which can only increase our chances for success in broader tribal issues irrespective of individual Hopi-Navajo interests.

Lastly, I thank you for hearing me out today.

I just wanted to also urge the Commission to take into serious consideration and to the greatest

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Phoenix, Arizona
extent possible both the Legislative boundaries be separate and distinct. We have unique cultural traditions of the Hopi Tribe.

CHAIRMAN LYNN: Thank you.

Questions?

Thank you very much.

Mr. Lewis.

MR. LEWIS: Next, Kathleen Natongla,

Council Representative of Village of Spianlovi, Hopi Tribe.

MS. NATONGLA: Kathleen with a K, Natongla, N A T O N G L A, from the Village of Sipanlovi, S I P A N L O V I.

Today I'm here to talk about education.

I was -- I graduated from the Phoenix Indian School here, which is no longer here, though. But my concerns are to support and validate our desire to maintain a strong Legislative and Congressional representation from the people down in Phoenix for education.

Way back, our students were sent to school away from the reservation. I chose to come to the Indian School on my own, but the kids that had to, or -- they -- there was no high schools on the reservation for our students to go to, so they were sent to our high
schools, reservation boarding schools in Arizona, California, Utah, or Nevada. Today we've got a — our own high school. It's been therefore, I would say, if not close to 15 years, 15 years, we have a rich culture out there. When the kids were going to school, in these boarding schools, away from the reservation, they couldn't do a lot of there cultural things. Today they participate year round doing these things. Our reservation needs new schools. We need politics — in politics, we need strong support from down here, in the Legislature, to get new schools down in the Hopi.

Our Hopi people continue to face many challenges in the 21st century. Our access to political process representation at both the state and federal level unobstructed by federal obstruction by our District Two representatives and District Three Congressman most be instrumental in orchestrating and meeting the needs of the Hopi.

Access to the political process of the United States and State of Arizona has made the difference in education.

We appreciate your willingness to hear and pounder our concerns.

Our desire is to maintain our local or our current Legislative and Congressional representation.

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Phoenix, Arizona
The inclusion of Moenkopi Hopi communities to be contiguous and geographically compact, we've got three representatives here from Moenkopi. I sincerely urge you to preserve them, give us a separate voice. Strong voices state at the national level deserves the ability of providing people a quality education. I'm only one voice but I speak for many people.

CHAIRMAN LYNN: Thank you, Mrs. Natongla. Mr. Lewis, we're running fairly close on time. How many speakers are left?

MR. LEWIS: This is the last one. Last one, Mr. Tom LaPahe, Navajo Nation Council Delegate.

MR. LaPAHE: Tom LaPahe. I'm a Member of the Navajo Nation Council, representing two communities. I live immediately north of the Hopi Reservation. I wanted to speak with the Commission. Our leadership, both tribes, we have differing views, Our children go to the same schools, share the same health care outlets and food outlets. Currently, today, with so many inter-tribal marriages taking place, I feel the Commission should put us in the same Legislative and Congressional Districts. We may be able, if you give us a chance to be put in the same districts, we may be able.
to find some common interests and be able to work together on some problems that our people face. So I'm before you asking to be put -- have the Commission put us in the same district. We may be able to find some interests in working together. So I just wanted to put that forward. Thank you.

CHAIRMAN LYNN: Thank you, Mr. LaPahe. Are there any other members of the public who wish to be heard?

If not, is there anything from legal counsel?

MR. RIVERA: No.

CHAIRMAN LYNN: Anything from the consultants at this time?

DR. ADAMS: We wanted to talk about the schedule.

CHAIRMAN LYNN: Anything from Members of the Commission?

If not, the Commission will adjourn.

We want to thank you all, the members of the Tribal Council, for being with us, and for other representatives of the Native American Community in the State of Arizona.

And as you know, as Ms. Minkoff said in

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Phoenix, Arizona
the earlier presentation, the Native American community of interest is one of the three major communities we've been addressing in this process. We continue to respect and hope for continued attention to be paid to the Native American community as we move forward in this process. And we appreciate all of your testimony this afternoon. We certainly will do our best to take all of it into account.

Thank you all for coming.

(Whereupon, the hearing concluded at approximately 3:17 p.m.)

* * * *
BE IT KNOWN that the foregoing hearing was taken before me, LISA A. NANCE, RPR, CCR, Certified Court Reporter in and for the State of Arizona, Certificate Number 50349; that the proceedings were taken down by me in shorthand and thereafter reduced to typewriting under my direction; that the foregoing 77 pages constitute a true and accurate transcript of all proceedings had upon the taking of said hearing, all done to the best of my ability.

I FURTHER CERTIFY that I am in no way related to any of the parties hereto, nor am I in any way interested in the outcome hereof.

DATED at Phoenix, Arizona, this 4th day of September, 2001.