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STATE OF ARIZONA

ARIZONA INDEPENDENT REDISTRICTING COMMISSION

REPORTER'S TRANSCRIPT OF PROCEEDINGS

PUBLIC SESSION

INTERACTIVE VIDEO SESSION TO MULTIPLE REMOTE LOCATIONS

Show Low, Arizona  
September 15, 2001  
3:00 p.m.

ARIZONA INDEPENDENT  
REDISTRICTING  
COMMISSION

LISA A. NANCE, RPR, CCR  
Certified Court Reporter  
Certificate No. 50349

1           The State of Arizona Independent Redistricting  
2 Commission Convened in Public Session on September 15,  
3 2001, at 3:00 O'clock p.m., at Northland Pioneer  
4 College, 1001 West Deuce of Clubs, Show Low, Arizona, in  
5 the Presence of:

6

7 **Appearances:**

8           COMMISSIONER JOSHUA M. HALL - Show Low  
9           COMMISSIONER DANIEL ELDER - Show Low  
10          LISA HAUSER, Commission Counsel - Show Low  
11          DR. FLORENCE ADAMS, NDC, Consultant - Show Low  
12          ADOLFO ECHEVESTE, Executive Director - Show Low  
13          PAUL CULLOR, Outreach Staff - Show Low  
14          ALMA VILLARREAL, Outreach Staff - Winslow  
15          MANUEL, Outreach Staff - Holbrook  
16          AMY REZZONICO, Outreach Staff - Snowflake/Taylor  
17          THERESA, Outreach Staff - St. Johns  
18          CINDY LE, Outreach Staff - Springerville/Eagar  
19          JESS, Outreach Staff - Polacca  
20          SUSAN SVITAK, Outreach Staff - Kayenta  
21          LOU JONES, Outreach Staff - Heber (technical diff.)  
22          Spanish Interpreter  
23          Navajo Interpreter  
24          LISA A. NANCE, RPR, CCR, Court Reporter  
25

1

2 PRESENTATION BY:

3 COMMISSIONER JOSHUA M. HALL

4

5 SPEAKERS FROM CALL TO THE PUBLIC:

6

7 HOLBROOK:

8 EDDIE KOURY

9 WINSLOW:

10 BILL ELZUI

11 ST. JOHNS:

12 SENATOR JACK A. BROWN

13 BILL ELZUI

14 CLARENEYE BINGLE

15 POLACCA:

16 CLIFFORD BALENQUAH

17 SHOW LOW:

18 JESS THOMPSON

19 REV. DICK LUDKO

20 SPEAKER EDWARD T. BEGAY

21 PERRY B. YAZZIE

22 EDWARD RICHARDS

23 JUDITH DWORKIN

24 MIKE HUMPHREY

25 MAYOR SANDRA BURK - Eagar

1 SPEAKERS FROM CALL TO THE PUBLIC (CON'T):  
2 SHOW LOW (Cont'd)  
3 GINNY HANDORF - Pinetop/Lakeside  
4 KAYENTA:  
5 CHAIRMAN PETER MacDONALD  
6 WINSLOW:  
7 BROOKE HODGES  
8 HOLBROOK:  
9 SAM MARTINEZ  
10 ST. JOHNS:  
11 SENATOR JACK A. BROWN  
12 SPRINGERVILLE/EAGAR:  
13 NANCY GOLIGHTLY  
14 POLACCA:  
15 SASHEEN HOLLOWHORN  
16 SHOW LOW:  
17 ALEX YAZZA, JR.  
18 DARRELL WATCHMAN  
19 SUPERVISOR LEWIS TENNEY - Navajo Co.  
20 MICHAEL DOWNS  
21 ROMAN BITSUI  
22 LEE BIGWATER  
23 DERRICK WATCHMAN  
24  
25

1 SPEAKERS FROM CALL TO THE PUBLIC (CON'T):

2 SHOW LOW (Cont'd)

3 REPRESENTATIVE JAKE E. FLAKE

4 ERVIN M. KEESWOOD

5 LEONARD GORMAN

6 FRANK M. SEANEZ

7 SUPERVISOR DAVID A. BROWN

8 DONALD HANCOCK

9 NAVAJO CO. BOARD OF SUPERVISORS (WRITTEN SUBMITTAL 1)

10 NAVAJO CO. BOARD OF SUPERVISORS (WRITTEN SUBMITTAL 2)

11 WHITE MOUNTAIN APACHE TRIBE (WRITTEN SUBMITTAL 3),

12 SIGNED BY CHAIRMAN DALLAS MASSEY, SR.

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1 Public Session  
2 Show Low, Arizona  
3 Interactive Video  
4 Winslow, Holbrook,  
5 Snowflake/Taylor,  
6 St. Johns, Polacca,  
7 Kayenta,  
8 Springerville/Eager  
9 September 15, 2001  
10 3:00 o'clock p.m.

7

## 8 P R O C E E D I N G S

9

10 COMMISSIONER HALL: Ladies and gentlemen,  
11 remote locations, most of all the staff of the  
12 Independent Redistricting Commission, we request a  
13 certain level of reverence as we proceed through this  
14 Commission hearing.

15 I'll call the public hearing of the  
16 Independent Redistricting Commission to order, which is  
17 centralized here in Show Low, Arizona, to remote  
18 locations located in Winslow, Holbrook,  
19 Snowflake/Taylor, St. Johns, Springerville/Eagar,  
20 Polacca, Kayenta, and Heber, with interactive video  
21 technology offered by Northland Pioneer College.

22 We're grateful for the college with the  
23 assistance and coordination in assisting in the process.

24 We apologize for the smallness, the small  
25 size of this particular room. It's centrally located in

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Phoenix, Arizona

1 order to accommodate the video proceedings. This is  
2 what we have.

3 I'm also grateful to a number of  
4 representatives. If you may know, due to the fact there  
5 was some terrible situations in our country this week,  
6 our meeting was canceled in Tuba City. I'm grateful to  
7 the Navajo Nation and other representatives being  
8 understanding of that and grateful to have them here in  
9 this meeting with us, also.

10 While we're on that note, prior to  
11 beginning this meeting, in light of the fact that we've  
12 had some significant detrimental events in our nation  
13 this week, I would ask that we would just take a minute  
14 of silence in honor of the families and victims of those  
15 who suffered so much by reason of the terrible  
16 terrorists that have done so much damage to our great  
17 country,

18 (Whereupon, all joined in observance of a  
19 moment of silence.)

20 COMMISSIONER HALL: Thank you, ladies and  
21 gentlemen.

22 It's a pleasure to be with you.

23 This is our last of a number of second  
24 round of public hearings.

25 Mr. Elder and I, my fellow Commissioner,

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1 are the only two Commissioners here.

2 My name is Joshua Hall. I reside in  
3 St. Johns, work here in Pinetop, Show Low, and  
4 Snowflake.

5 Commissioner Elder is from Tucson, is an  
6 architectural engineer, design engineer, in Tucson. And  
7 we have a fellow Commissioner located in Bullhead City,  
8 presumably, right now.

9 Our other Commissioners had other  
10 engagements they needed to be at.

11 We've been riding our horses hard and  
12 they're a little bit wet.

13 I also would like to introduce Lisa  
14 Hauser, our counsel, legal counsel; Florence Adams, a  
15 representative of National Demographics Corporation, our  
16 consultant; Paul, a member of our staff; the gentleman  
17 behind the camera, a member of staff; staff located  
18 every remote location; Mr. Adolfo Echeveste, Executive  
19 Director; and Lisa Nance who is our primary stenographer  
20 as we have had numerous meetings.

21 I can tell you that it's a great  
22 privilege. One of the few blessings is the great  
23 privilege of seeing the various areas of the state in  
24 hearing from people throughout the state. I had the  
25 opportunity to go to Sierra Vista, for example, for the

1 first time, and Nogales. And what wonderful country  
2 that is. I can tell you we're running cows in the wrong  
3 country, folks. Grass to my knees down there.

4 I was impressed with a number of the areas  
5 of the state, and it has been a great experience to hear  
6 from the people in the state and receive their input.  
7 That's the primary purpose of this meeting today.

8 Prior to that, though, as is our custom,  
9 we will start with the Power Point presentation which  
10 will be given by Mr. Elder to give you an overview of  
11 where we've been and where we are. Subsequent to that  
12 presentation we'll receive public comment from all of  
13 you that would wish to do so.

14 If you'd like to provide public comment to  
15 the Commission, I would recommend, ask you fill out a  
16 yellow speaker slip. If you do not have one, you can  
17 ask Mr. Echeveste, and he'll get one to you. If you  
18 feel so inspired sometime later in the meeting, he'll  
19 get one to you. We're here as long as you'd like us to  
20 be.

21 With that, I'll turn the time over to  
22 Mr. Elder.

23 COMMISSIONER ELDER: Thank you,  
24 Commissioner Hall.

25 I think we need to check, I guess was the

1 request from control, that everybody could see around to  
2 the public hearings on the Power Point at the remote  
3 locations.

4 Are we okay?

5 MR. ECHEVESTE: Yes. Just go.

6 Okay.

7 Paul.

8 COMMISSIONER HALL: You need to talk loud.

9 COMMISSIONER ELDER: Start, yes.

10 MR. POLLACK: Ready.

11 COMMISSIONER ELDER: Thank you.

12 He said speak louder. I'll attempt to do  
13 that and stay in view of everybody.

14 This is round two of the public hearings  
15 that the Commission started about two months ago. We  
16 had a first round. We came out through the state to try  
17 and determine what was the glue, what were the various  
18 factors that held the communities together, what were  
19 the communities of interest. We went back, tried to  
20 address some of those, or a majority of those, and we  
21 found that we had other information that we needed and  
22 we wanted to have the second round. And that's what we  
23 are doing today. The Commission welcomes citizen  
24 comment for the draft districts for the Congress and  
25 State Legislature.

1                    Proposition 106 started off with a series  
2 of guidelines and set up for drawing new districts.  
3 Those guidelines started off with the first two being  
4 ones that were directed by the Constitution and the  
5 Voter Rights Act. They are mandatory. You know, they  
6 relate to one person one vote, the Voting Rights Act,  
7 and then Congressional Districts of nearly equal  
8 population. Nearly equal in this last redistricting, 10  
9 years or eight years ago, it came down the state was  
10 divisible almost, so there's three districts that have  
11 one more person than the other two districts out of the  
12 state. So it came out to where it was in the one or two  
13 person mode. That's what goal would be, if possible,  
14 this time around for Congressional. Legislative gives  
15 more latitude.

16                    The final four items up there on rules for  
17 redistricting were geographically compact; contiguous,  
18 to the extent practicable; district boundaries of  
19 communities of interest, where practicable; various  
20 geographic district lines, jurisdictional lines,  
21 counties, cities, things along those lines; and the  
22 fifth one, item F up there, is the one where we're  
23 getting to, that is where we stand right now. We're  
24 trying to develop competitive districts, to the extent  
25 practicable.

1                    Proposition 106 required the Commission  
2 start off with a grid system. We commenced that,  
3 developed a grid, and came back to you after the first  
4 round of meetings.

5                    The grids developed townships, a  
6 combination of Census tracts.

7                    We started off with a six-mile-square grid  
8 and amalgamated, accumulated a Census grid within that,  
9 and went next to the grid. That's why the Census  
10 tracts, being non-uniform in geography, take some  
11 grid-like out of the proposition, or out of the plans,  
12 districts we developed.

13                    Once the grid was developed, we needed to  
14 adjust those grids to match the Proposition 106  
15 mandates.

16                    Here are the Congressional and Legislative  
17 grids that we developed and presented the last time  
18 through as we went around the state.

19                    The citizens made it clear in  
20 redistricting we follow several basic principles. Ones  
21 that really came out strong, that we respect communities  
22 of interest, their community, respect cities, towns,  
23 counties, local government.

24                    Citizens developed communities into  
25 regions they lived in. One of the problems we had with

1 that, one community of interest, we'd go to the next  
2 town, it's not the same in the next community of  
3 interest, next county, or next region of the state.

4 That's our job, to try to take competing  
5 and conflicting communities of interest, try to resolve  
6 them in the best manner we can.

7 What came out of these communities of  
8 interest are Arizona units of representation, or AURs.  
9 Major communities of interest came out as Native  
10 American and tribal reservations, Hispanic communities  
11 of interest, relationships between rural and urban  
12 communities. That was pervasive in all meetings I went  
13 to. Not at one hearing site did I not have those three  
14 come out.

15 We heard the same, urban communities not  
16 wanting to be treated as rural, not just rural  
17 communities saying we want nothing to do with the State  
18 of Arizona, if you will, and heard it in Maricopa  
19 County, we really want urban representation, don't want  
20 to be tied to rural population, a very distinct break  
21 those two areas.

22 The Commission followed the mandates of  
23 Proposition 106 expressed by the citizens.

24 The Commission expressed draft plans very  
25 different from the existing districts expressed in the

1 1996 redistricting. The draft plans have many fewer  
2 city and town splits. The existing have six  
3 Congressional areas with 16 split cities towns. The  
4 draft Congressional maps we came out with have six split  
5 cities and towns.

6 In the Legislative Districts, the existing  
7 had 39 split cities and towns. We cut that by  
8 approximately a third by the draft, in other words, 13  
9 split cities and towns.

10 In some of the existing districts, cities  
11 cross over boundaries, and so do many tribal boundaries.  
12 We felt tribal lines should not be split. We wanted to  
13 keep tribal reservations whole. We went across, and  
14 where they crossed tribal lines, we said no tribal  
15 reservations should be crossed by a district line.

16 Existing Congressional Districts, five  
17 split counties. Remember, we're having two more  
18 Congressional Districts than we had in 1990. The draft  
19 Congressional Districts, where we have eight, split six  
20 counties.

21 In the existing Legislative Districts, 13  
22 counties were split. And we have 30 of those. The  
23 draft Legislative, we have nine split counties.

24 The states major communities in respect to  
25 the draft plans, tribal reservations are undivided and

1 in many cases unified with the other tribal  
2 reservations.

3 Hispanic communities of interest largely  
4 have been kept together.

5 Rural and urban communities are  
6 distinguished.

7 Most of the AURs have been respected in  
8 the draft plans.

9 Competitiveness of districts, proposition  
10 106 did not allow us, prior to this time, to address  
11 competitiveness.

12 Under Proposition 106, all of the other  
13 items above that, the contiguousness, the compactness,  
14 the AURs, or communities of interest, as long as  
15 competitiveness did not get affected, to a great extent,  
16 the other factors involved, we could then address  
17 competitiveness. That's where we are today.

18 Competitive districts should be favored  
19 where there is no substantial detriment to the other  
20 goals.

21 The Commission designed the following  
22 draft for the Arizona eight Congressional Districts.

23 This is the Congressional District map.  
24 The colors, I think, stand out a little better. It's a  
25 little hard to read the Maricopa County and Pima County

1 areas. Here's a blowup of those areas in Maricopa  
2 County and they are followed here by Tucson and Pima  
3 County.

4           The draft Legislative maps were designed  
5 to follow the plan for 30 Legislative Districts. Here  
6 are the Legislative Districts as we show them now, and  
7 let me reiterate again, these are draft plans. To the  
8 extent we are trying to elicit information and comments  
9 from you to make adjustments, that's what we're trying  
10 to do.

11           I reiterate, they are draft plans.

12           Here's Maricopa County, and here is the  
13 draft Legislative maps for Tucson.

14           Further opportunities for citizen input.

15           We're here today to hear testimony at  
16 these hearings, complete the forms, the packets handed  
17 out or on the table as you came in. Forms are in there.  
18 Complete your form and hand it in today, mail it to us,  
19 fax it to us, or use the website. The website is  
20 [www.azredistricting.org](http://www.azredistricting.org). Any of those three or four  
21 items are ways of getting to us and would be helpful.

22           I would reiterate, we'd like to try have  
23 it all back between -- somewhere between the 20th and  
24 25th. We have to start drawing maps on I believe Monday  
25 the 1st or 2nd and making adjustments.

1                   We'd like, if at all possible, to have it  
2                   evaluated and integrated into the process.

3                   If you help us by returning them today, or  
4                   making your testimony verbal here at the meetings, that  
5                   would be absolutely great.

6                   With that, I'll turn it back over to  
7                   Joshua Hall, and we'll go to, I assume, the remote  
8                   locations.

9                   Joshua, why don't you start.

10                  COMMISSIONER HALL: Was everyone in remote  
11                  locations able to hear at the remote locations and see  
12                  it okay?

13                  I should say was there anyone that did not  
14                  hear it and see it?

15                  Great.

16                  What I'd like to do then is look at the  
17                  control room participants located in Holbrook.

18                  Brian, are you there?

19                  Houston?

20                  Can somebody in Holbrook say something?

21                  I'm now looking at the Springerville  
22                  location, four individuals.

23                  Would somebody there in Springerville  
24                  would like to make public comment to the Commission?

25                  MR. CULLER: Can you hear us in

1 Springerville?

2 COMMISSIONER HALL: I can't hear your head  
3 nod.

4 BRIAN: Are you hearing me now?

5 COMMISSIONER HALL: Who is speaking?

6 BRIAN: What we did, there was a lot of  
7 shuffling of papers. We muted every room except yours.  
8 People were having trouble hearing you.

9 COMMISSIONER HALL: Go to Holbrook.

10 BRIAN: Greg, choose Holbrook as a video  
11 source.

12 COMMISSIONER HALL: Perfect.

13 Is that Holbrook?

14 PDC1, Holbrook. One, two, three, four,  
15 five individuals in Holbrook.

16 BRIAN: Zoom out, a few more in there.

17 COMMISSIONER HALL: What I would like to  
18 do, in some orderly fashion, is hear public comment from  
19 those individuals located at that remote location.

20 The young lady closest to the camera, do  
21 you have a desire to make a comment to this Commission?

22 YOUNG LADY: Not today. Not right now.

23 Thank you.

24 COMMISSIONER HALL: Your neighbor?

25 A WOMAN: (Shakes her head.)

1 COMMISSIONER HALL: Next to you?

2 GENTLEMAN: No.

3 COMMISSIONER HALL: Lady next to you?

4 FEMALE: No.

5 COMMISSIONER HALL: Person next to you?

6 WOMAN: Not at the moment.

7 COMMISSIONER HALL: The other gentleman?

8 MR. KOURY: I would make a comment.

9 I'm a Navajo Supervisor, member in Show  
10 Low, and would like to elaborate on what I would say.

11 COMMISSIONER HALL: Okay. Do you want to  
12 make a comment?

13 MR. KOURY: Comment at this time?

14 COMMISSIONER HALL: It's up to you.

15 MR. KOURY: Let me make a brief comment.

16 COMMISSIONER HALL: I need to know your  
17 name and spell it, first and last name, for this  
18 Commission.

19 I'd ask the camera zoom in on you and that  
20 you speak loud and clear for our benefit.

21 MR. KOURY: Eddie Koury, E D D I E,  
22 K O U R Y, Navajo County Manager.

23 I just want the Commission to know the  
24 Navajo County Board of Supervisors passed resolutions in  
25 support of the Independent Redistricting Commission's

1 Congressional and Legislative proposal you currently  
2 have on the table.

3 Also, I'm an officer of the Eastern  
4 Arizona County Organization.

5 Speaking for them, we do appreciate the  
6 Eastern Arizona Counties being kept together in the  
7 Northern District. There are other board members that  
8 would like to elaborate.

9 COMMISSIONER HALL: Thank you very much.

10 Anybody else in the immediate surroundings  
11 that wishes to make public comment to the Commission at  
12 this time?

13 Thank you.

14 Can we then change the video view to  
15 Winslow?

16 BRIAN: Greg, would you take the camera to  
17 the Winslow site.

18 I would ask the person working, NPC staff  
19 member at Winslow, to please try to assure the camera  
20 focuses clearly on the person speaking.

21 MR. ECHEVESTE: Okay. Looking at Winslow.  
22 We see you.

23 COMMISSIONER HALL: Thank you.

24 Is there anyone that wishes to make a  
25 comment to the Commission at this time?

1 WINSLOW OUTREACH: I have Bill Elzui.

2 MR. ELZUI: Yes.

3 COMMISSIONER HALL: Okay. Bill Elzui.

4 Bill, can you please spell your name,  
5 first and last.

6 MR. ELZUI: B I L L, E L Z U I.

7 COMMISSIONER HALL: Please continue.

8 MR. ELZUI: I'm just, I just want to  
9 comment I'm appreciative of the fact you've taken all  
10 the time you have to attempt to make these districts as  
11 equitable as possible. I think I agree with this  
12 Legislative Draft District E. I think most of our  
13 people will be pleased with it.

14 COMMISSIONER HALL: Thank you, Mr. Elzui.

15 Is there anyone else in your immediate  
16 surroundings that would like to present to the  
17 Commission at this time?

18 WINSLOW OUTREACH: No.

19 COMMISSIONER HALL: Then move to the  
20 Snowflake/Taylor location.

21 MR. ECHEVESTE: Amy.

22 COMMISSIONER HALL: Amy. Amy, would  
23 either of those folks with you, would they like to make  
24 a comment to the Commission?

25 MS. REZZONICO: No, Commissioner Hall,

1 they do not wish to speak at this time.

2 COMMISSIONER HALL: St. Johns, can we move  
3 the view to St. Johns at this time?

4 COMMISSIONER ELDER: They're asleep.

5 COMMISSIONER HALL: Is this St. Johns?

6 Would anyone at the St. Johns location  
7 like to make a presentation to the Commission at this  
8 time?

9 THERESA: Yes.

10 COMMISSIONER HALL: Okay. What we need  
11 you to do, is that you, Mr. Brown?

12 SENATOR BROWN: Yes. Senator Brown.

13 COMMISSIONER HALL: Sorry. Is that you,  
14 Senator Brown.

15 Can you please spell your name for the  
16 benefit of the record.

17 We'd welcome any comments you have and ask  
18 that you proceed around the table if anyone else would  
19 like to make a presentation.

20 SENATOR BROWN: Jack, J A C K, A,  
21 B R O W N. Thank you.

22 I think this is great. I think it's  
23 innovative, shows we don't all have to travel to one  
24 location to communicate with each other. Doing good.  
25 If we don't lose anybody, we'll be lucky here.

1                   I just wanted make a few short comments,  
2 thank the Commission for the hard work you've put in  
3 with no pay. I don't know how in the world people voted  
4 this thing in with no pay for you guys. That's the kind  
5 of public service you get, blessings you get. We  
6 appreciate that.

7                   I've been through three of these  
8 redistricting things back through the years, know how  
9 tough they are and know how you can't please anybody.  
10 You do the best you can, and you seem to have done a  
11 pretty good job of that.

12                   First off, we believe the Congressional  
13 District probably is all right, although it may need to  
14 be tweaked some. We want to see it kept rural, don't  
15 want to go into Maricopa County, unless we have to, have  
16 to, to make it work.

17                   By golly, we need rural representation,  
18 someone that represents the rural area of the State of  
19 Arizona.

20                   On the, on the redistricting for the state  
21 legislation, we think that E is the best one we've got  
22 on the board. That holds together five Eastern Arizona  
23 Counties that have communities of interest and are  
24 united in the start and want to be together and reach  
25 things together. It's a good, strong district presently

1 the rural areas of the state have pretty well agreed to.  
2 It should go a long way. And you should leave that  
3 district intact.

4 I appreciate that, appreciate you being  
5 there and doing the good work for us.

6 Tell Mr. Elder "Hi."

7 COMMISSIONER HALL: Thank you, Senator  
8 Brown.

9 Anyone else in the immediate surroundings  
10 that wishes to make a presentation?

11 SENATOR BROWN: Commissioner Hall?

12 A VOICE: Yes, sir.

13 COMMISSIONER HALL: Can you make sure you  
14 spell your name for the benefit of our court reporter.

15 MAYOR OVERSON: Ross Overson, R O S S,  
16 O V E R S O N, Mayor of St. Johns. And we did, with  
17 Senator Brown's help, understand the proposal for  
18 redistricting. It appears to us the best for St. Johns.  
19 We're very proud of you and think you did a wonderful  
20 job.

21 COMMISSIONER HALL: Is there anyone else  
22 in the immediate surroundings that would like to present  
23 to the Commission?

24 MR. BINGLE: Clareneye Bingle,  
25 C L A R E N E Y E, B I N G L E, resident of Apache

1 County, county manager.

2 I support what the Mayor said and the  
3 Congressman said.

4 COMMISSIONER HALL: Mr. Bingle, is there  
5 anyone else that would like to speak?

6 MR. BINGLE: No one else.

7 COMMISSIONER HALL: Thank you.

8 With that key, move to the remote location  
9 of Springerville.

10 MS. LE: Hello.

11 COMMISSIONER HALL: Anyone in your  
12 locations?

13 MS. LE: Three persons here. No one  
14 wishes to speak.

15 COMMISSIONER HALL: Thank you.

16 Can we move to Polacca?

17 MR. SAUNDERS: Commissioner Hall.

18 COMMISSIONER HALL: Yes, sir.

19 MR. SAUNDERS: We have a gentleman from  
20 Dotsaquahu Village. Counsel would like to say a few  
21 words and also a young lady from the Navajo Times may  
22 have a few questions.

23 COMMISSIONER HALL: All right. We'll ask,  
24 Mr. Saunders, that questions be reserved until the end  
25 of the meeting, but -- and we're more than happy to hear

1 words. The gentleman that would make the presentation,  
2 please spell your first and last name for the benefit of  
3 us. We'd love to hear what you have to say. And  
4 also --

5 MR. SAUNDERS: And hear your town and the  
6 location you're from, also.

7 MR. BALENQUAH: My name is  
8 Clifford Balenquah, C L I F F O R D, B A L E N Q U A H,  
9 from Dotsaquahu, D O T S A Q U A H U. I'm from -- I'm  
10 also on the Tribal Government.

11 I want to thank you for the all hard work,  
12 for the representation throughout the State of Arizona.

13 Looking at that Power Point presentation,  
14 I have a couple concerns, actually three. One is the  
15 grid, based only on population, no other. And then the  
16 other one you mentioned, you want to keep the tribal  
17 lands whole. And one other is Proposition 106 does not  
18 allow Commissioners to consider competitiveness. I  
19 think certainly Indian Tribes having independent culture  
20 within their own right within the state and within the  
21 nation, I am primarily going to speak to the Legislative  
22 District of Arizona, primarily for the Hopi Reservation,  
23 and the surrounding, not for Navajo Tribe, but with the  
24 concerns of the surrounding Navajo Nation.

25 Okay. Over the past decade, there is

1 independent rights. Excuse me.

2 MR. SAUNDERS: I'm sorry, but there are  
3 people speaking in conference rooms. We can't hear the  
4 speaker. We'd ask you not to speak.

5 Thank you.

6 COMMISSIONER HALL: Just a reminder to  
7 remote locations, we have a gentleman presently  
8 speaking. We ask while he is speaking, that we be  
9 respectful of those who wish to speak. Just because  
10 nobody can see you, we can hear you. We ask that you  
11 retain a quietness, if possible. If you feel you are  
12 unable to refrain from speaking, you are more than  
13 welcome to leave the room where you are located. It's  
14 impossible to hear the speaker.

15 My apologies.

16 MR. BALENQUAH: Over the past decades, the  
17 federal government, State of Arizona, federally eroded  
18 many American rights, especially those related to  
19 territorial jurisdiction and over the exercise of  
20 sovereign rights. Today we are faced yet with another  
21 form of threatened political dominance and being placed  
22 again in an adversarial position with our neighbors, the  
23 Navajo tribes, through Legislative redistricting.

24 The governments cite equal representation  
25 for all as an expression of being a democracy and caring

1 for all Arizonians. Even state government does not know  
2 its own people. Many American Indians do not understand  
3 white man's politics, much less understanding partisan  
4 allegiance.

5 Arizona must give recognition to Indian  
6 tribes as many are not ready or willing to become a  
7 party to political entities.

8 We Hopis are not a dominating political  
9 society. Our Hopi Tribe system is our form of politics.  
10 Historically the Navajo have never supported the Navajo  
11 tribe. We have lived under constant fear of the Navajo  
12 tribal government to commence our own version of  
13 manifest destiny on us and other groups of the same  
14 jurisdiction. Now, unless there is a miracle, indeed,  
15 in the future, Navajos would not support the Hopis for  
16 political benefits or services.

17 For instance, the most recent  
18 demonstration of arbitrary action is the recent ceremony  
19 held on Hopi land. The Navajo agreed last year's  
20 ceremony would be the last one allowed on Hopi land.  
21 And as the Sun Dance of the northern plains, the Indian  
22 ceremony, Navajo religious ceremony, President Begaye of  
23 the Navajo Nation and Chairman Taylor of the Hopi Tribe,  
24 asserting Hopi jurisdiction over our own lands, our  
25 asserting of jurisdiction was by admonishing of the Sun

1 Dance of our joint agreement. No one lives above the  
2 law. These are the rules. Let's play by these rules.

3 Another coincidence on a bigger national  
4 scale are the Navajo County authorities, expression of  
5 coincidence. We are all earth people and created from  
6 this earth and must all unite and defend our Independent  
7 lands. Navajo people and their leadership, know that  
8 there are other Indian tribes, such as the Hopi, Sioux,  
9 Seminole, in the area company, and others that had code  
10 talkers in World War II that performed equally well, and  
11 honorably, as Navajo code talkers, yet they, the Navajo  
12 government, sought only Congressional recognition only  
13 for themselves, but none for their Indian warrior  
14 brothers of other tribes. I am a veteran of the Vietnam  
15 War, served in the first infantry mission participating  
16 in 13 combat missions.

17 I'm proud of every single Navajo veteran,  
18 services to the nation, equally proud all Indian code  
19 talkers and veterans in general.

20 On many issues, the Navajo and Hopi agreed  
21 upon and continue to support one another on certain  
22 issues of national concern, like over and during the  
23 most recent clarifying declaration, the US Supreme Court  
24 ruling that states can invade the reservations and  
25 territorial jurisdictions of the Indian Nations which,

1 especially indicates the political machinery of our  
2 state to be an orchestra of the government collaboration  
3 further eroding jurisdictional sovereignty we have left.  
4 Every government, whether the Hopi or other smaller  
5 tribes in their survival, as you will not guarantee  
6 improved economics on our reservation, much less  
7 guarantee the Hopi culture, being placed on Legislative  
8 Hopi jurisdiction, with very large Navajo population  
9 comparable to the federal government, not fulfilling the  
10 nations treaty signed in 1848 and proclaimed by the then  
11 US President on July 4th, 1848.

12 I truly believe that the Navajo Nation  
13 would be served best by having our own Legislative  
14 District. I know we have our own very unique needs. I  
15 therefore request that the Hopi Indian Nation and the  
16 Navajo Independent nation remain separate, a Legislative  
17 representation in our great state of Arizona.

18 Thank you. I thank you very much.

19 COMMISSIONER HALL: Appreciate your input.

20 Is there anyone else that wishes to speak  
21 at this time?

22 MR. SAUNDERS: Not at this time. May have  
23 questions later on.

24 COMMISSIONER HALL: Thank you.

25 Let's move to Kayenta.

1 SUSAN SVITAK: Susan Svitak in Kayenta.

2 We have no participants at this time.

3 COMMISSIONER HALL: Thank you, Ms. Svitak.

4 Did we ever receive connection at the  
5 Heber location?

6 BRIAN: Our understanding is no one  
7 participated at Heber. We're calling, not able to  
8 reach. Did you have a representative there,  
9 Commissioner?

10 MR. ECHEVESTE: We did.

11 COMMISSIONER HALL: We did.

12 BRIAN: We'll continue try to reach them.  
13 We haven't been able to reach anybody.

14 COMMISSIONER HALL: Thank you. We'll  
15 proceed to the public comment to those here in the Show  
16 Low location. At some point through that comment  
17 period, we will, again, sweep the remote locations to  
18 determine if there is anyone else that has shown up late  
19 or has suddenly felt inspired by the previous comments  
20 that would like to make an additional comment.

21 Right now, we probably want the video to  
22 go to show the Show Low location.

23 Is it correct, Brian, those who would like  
24 to be speak, are able to be seen where they are, or is  
25 it better to come where I'm located?

1                   BRIAN: Go to where you are.

2                   COMMISSIONER HALL: That's what I thought.

3                   We have a number of folks that would like  
4 to speak here. Why not just come where I am.

5                   BRIAN: We have our system on moot.  
6 People in Snowflake, Winslow, your site, it's best in  
7 Show Low for people to come your standing.

8                   COMMISSIONER HALL: Great. Make comments.

9                   Perfect. We'll do that. We'll proceed in  
10 that fashion and come back through remote locations.

11                   A number like to speak, ladies and  
12 gentlemen, we'd request, for the benefit of all that  
13 would like to be heard, you keep the comments around  
14 three to five minutes, if possible. And again, you are  
15 more than welcome to stand up and reiterate something,  
16 if you feel inspired, after.

17                   We'd like to have you fill out a yellow  
18 speaker slip, those that would like to speak. For your  
19 information, if you'd like to speak, this is not the  
20 microphone, it's recording. The microphone is located  
21 in this little box. Going like this, no one can hear  
22 you, it's because you are doing what I'm doing.

23                   With that, what I'd like you to do, there  
24 are a couple speakers I'd like to call before the  
25 members of the Navajo Nation to be heard.

1                   Simplest here, let's call them in order.  
2 They've been presented to us. The two slips I received  
3 before the Navajo Nation, Mr. Jesse Thompson, District  
4 Two Navajo County, and Rev. Dick Ludke. Following then  
5 we'll proceed with Speaker Begay.

6                   Mr. Thompson.

7                   MR. THOMPSON: Good afternoon, Chairman,  
8 and Members of the Redistricting Commission. My name is  
9 Jesse Thompson, J E S S E, T H O M P S O N. I presently  
10 serve on the Navajo County Board of Supervisors, have  
11 been for the last eight years, now going on my third  
12 term.

13                   I do represent nine Hopi Villages and nine  
14 Navajo community chapters. We have supported the map  
15 you have proposed today, and again that will be  
16 presented by one of my fellow supervisors.

17                   My purpose for coming before you today is  
18 to inform all of you, and particularly this Commission,  
19 that the county has worked hand in hand with many of the  
20 Indian tribes, Navajo, Hopi, and the Apache. But  
21 primarily, I have two tribes that I represent, the Hopi,  
22 and the Navajo tribes. I am proud to say that Navajo  
23 County has been very considerate and fair with all the  
24 Native Americans of Navajo County. Every so often from  
25 the Native American communities, we receive requests for

1 technical assistance, or financial support. Maybe in  
2 some cases we can't provide that service. But at that  
3 point, we ask for partnership. We are aware of the  
4 sovereignty status of the Native Americans, as well as  
5 the local governmental policies that they have, and the  
6 differences between traditions and culture of the  
7 tribes. That's why we have a partnership with them, and  
8 we ask them to take the local leadership and making  
9 things happen.

10                   Again, I say that local counties, local  
11 community oriented, we have established, let me kind of  
12 focus in on our friends, the Hopi Reservation. We have  
13 extended support and helped too many of the villages.  
14 Together we have worked on many projects and activities.  
15 The only reason why I bring this out is I understand  
16 there were some concerns expressed surrounding this, the  
17 relationship. And I say to you again, that we have a  
18 very positive relationship, despite the limited resources  
19 that may be, that we can provide. We are committed to  
20 doing as much more as we go for those communities,  
21 including the public at large. So I wanted to share  
22 this with you, the Commission, that I again, I  
23 understand there were some concerns surrounding this.  
24 And we have provided some of the projects and activities  
25 that we have done with the Navajo Nation, and we have

1 given that to them, and they are just needing. Again,  
2 we will also provide to you some of the activities and  
3 projects we've been involved with the Hopi Tribe.

4 Again, thank you very much.

5 COMMISSIONER HALL: Thank you,  
6 Mr. Thompson.

7 Mr. Ludke. Following Mr. Ludke here,  
8 Speaker Edward Begay.

9 MR. LUDKE: Good afternoon. My name is  
10 Dick Ludke, known as Reverend's Dick Ludke, not in  
11 active ministry at this time. Active involvement in  
12 involving people is as Chairman of the Apache Democratic  
13 Committee. May I see a hand if anybody here on that  
14 committee.

15 Thank you. There are four of us here, I'm  
16 not here to make a political pitch. I'd like to  
17 encourage everybody in this room to be active in the  
18 Democratic process or say the Democratic Republican  
19 process, of being involved in decisions make the  
20 influencing voting process in the state house as well as  
21 local government. Events in the last few days have  
22 strengthened the commitment to be a strong America but  
23 we cannot be a strong America unless the Democratic and  
24 Republican parties are working every way they can to  
25 support the current, the incumbent president and

1 leadership of this, this state.

2 I'm happy to tell you there is in the  
3 planning process at this time a barbecue event that will  
4 probably be located here in Show Low sponsored by the  
5 Navajo County party and the Apache county party, a joint  
6 effort, to show again an element of comradeship. We'd  
7 expect to have at least one of the candidates for the  
8 Governor of this state as a speaker at that meeting. Of  
9 course, there will be plenty of good food and a  
10 barbecue. We hope we'll have a generous contribution to  
11 cover the costs. And we already have such a  
12 contribution in the form of a \$150 donation for such an  
13 event. So anyway, that's just to get this word out. I  
14 hope you don't perceive this as a commercial but rather  
15 backup of the process we're here to enhance.

16 Thank you.

17 COMMISSIONER HALL: Thank you, Mr. Ludke.

18 Next, Speaker Edward Begay, Navajo Nation,  
19 followed by Perry Yazzie.

20 SPEAKER BEGAY: Thank you, Commissioner.  
21 For the record, Edward T. Begay. B E G A Y, Speaker of  
22 the Navajo Nation Council and chairperson of the Navajo  
23 Nation's subcommittee on Congressional and State  
24 Redistricting.

25 Good afternoon, Members of the Arizona

1 Independent Redistricting Commission, NDC staff, and  
2 staff to the Commission, and the people in the audience.  
3 It is an honor to come before the Commission again. The  
4 last opportunity to visit with the Commissioners was in  
5 Flagstaff, just last week. Unfortunately, the  
6 Commission had to cancel the second round of public  
7 hearings in Tuba City due to the terrorist attacks in  
8 New York City and Washington, D.C. and decided not to  
9 reschedule the Tuba City public hearing. The Navajo  
10 Nation regrets that it will not have the opportunity for  
11 Navajos from the Western Agency to provide their input  
12 to the Commission.

13                   Back on June 25th, 2001, the Navajo Nation  
14 presented to the Commission its position and  
15 recommendations for the State and Congressional  
16 redistricting plans. At the Window Rock meeting the  
17 Navajo Nation clearly supported its recommendations by  
18 submitting maps, narratives, and supporting letters from  
19 other Indian Nations in Arizona. Navajo Nation clearly  
20 demonstrated that need to maintain at a minimum 75  
21 percent Native American population in the Legislative  
22 District the Navajo Nation will be located. I am very  
23 disappointed that the Commission forwarded a Legislative  
24 plan only has 65 to 66 percent Native Americans, which  
25 was a drop of at least 10 percent both in Native

1 American population and also voting age population.

2 This is not acceptable.

3                   Throughout the hearings you've heard from  
4 the Hopi Tribe seeking your approval to exclude them  
5 from the Congressional and Legislative District in which  
6 the Navajo Nation would be located. You have heard some  
7 claims from the Hopis as to why they should be separated  
8 from the Navajo Nation in the Legislative and  
9 Congressional Districts. The Commission in turn  
10 responded by creating a gerrymandered corridor leading  
11 to the Hopi reservation from District A. I remind the  
12 Commissioners that the neck on your ostrich is very much  
13 similar to the North Carolina gerrymander that was  
14 struck down by the United States Supreme Court as  
15 provided below.

16                   At one point the North Carolina  
17 gerrymander stretched through interstate I-85 to connect  
18 two black communities. Although you don't follow any  
19 major roadway or other washes in your Hopi  
20 gerrymandering, you seem to have made every effort to  
21 avoid picking up people, Navajo or non-Navajo, along  
22 your route, except 15 people of which four of them are  
23 Native Americans. You also heard that Navajos very  
24 different from the Hopis because of the land dispute. I  
25 remind the Commissioners the Navajo-Hopi-US land dispute

1 is but one of the issues affecting the Navajo Nation and  
2 Hopi Tribe. Beyond the land dispute, issue such as,  
3 roads, schools, and medical facilities affect Navajos  
4 and Hopis equally. In Congress nearly all Indian bills  
5 are passed by unanimous consent in the House of  
6 Representatives and Senate. That is to say, no votes  
7 are cast, and therefore, no voting record exists. Thus,  
8 it is possible to say both the US House of  
9 Representatives from Congressional District Three and  
10 Six support the Navajo Nation and Hopi Tribe. Navajo  
11 Nation and Hopi Tribe testimony before Congress is most  
12 often in agreement in areas other than the land dispute.  
13 One such area is law enforcement.

14 In a testimony submitted Hopi Chairman  
15 Wayne Taylor to the Senate Judiciary Subcommittee,  
16 Chairman Taylor stated crime on Indian country in  
17 Arizona is severe. Chairman Taylor continued to state  
18 that:

19 "The need is overwhelming. In 1996, our  
20 neighbors whose reservation surrounds the Hopi  
21 Reservation, experienced 46 homicides resulting in a  
22 rate per that would on a per capita basis place the  
23 Navajo Reservation among the top 20 most violent cities.  
24 Mr. Chairman and members of the Committee, we need your  
25 support to address public safety which also accounts for

1 the safety of law enforcement personnel including the  
2 chronic shortage of personnel on a comprehensive level."

3 I express my sincere appreciation to  
4 Chairman Taylor for articulating the grave concerns  
5 pertaining to the needs of all Indian Nations,  
6 especially the Navajo Nation, to the members of the  
7 Senate Judiciary Subcommittee.

8 The Navajo Nation submitted its testimony  
9 on Legislative priorities for the 107th Congress. In  
10 the written testimony, the Navajo Nation clearly  
11 demonstrates the needs for better law enforcement  
12 funding that not only exists on the Navajo Nation but  
13 also throughout Indian country. In part, the Navajo  
14 Nation states the following when commenting on federal  
15 law, enforcement initiatives and additional funds for  
16 the Bureau of Independent Affairs law enforcement  
17 services, and I quote:

18 "Although federal efforts have been  
19 highlighted and oftentimes mentioned with high regards,  
20 the comments by Indian tribes at United States  
21 Department of Justice, consultation meetings have been  
22 nothing but outcries of tragic situations and dire needs  
23 of law enforcement in Indian country. The US DOJ has  
24 yet to answer critical criminal justice concerns raised  
25 by tribal leaders at the consultation meetings and it is

1 undetermined whether these concerns are being shared  
2 with the Secretary of Interior, Assistant Secretary of  
3 Interior, United States Attorney General and the Office  
4 of the United States President," unquote.

5 Both the Navajo Nation and Hopi Tribe have  
6 expressed similar paramount concerns and needs. In  
7 addition, the Navajo and the Hopi have equally advocated  
8 on behalf of all tribes in the United States on federal  
9 issues, such as health, transportation, roads, education  
10 and others as demonstrated by the Navajo Nation.

11 In conclusion, the Commission heard from  
12 the Hopi Tribe that their people are culturally  
13 different from the Navajo Nation. In addition, the Hopi  
14 Tribe informed the Commission that it also differs with  
15 the Navajo Nation on federal policy issues. The Navajo  
16 Nation will demonstrate that the Hopis and Navajos have  
17 similar needs in area education, health, social  
18 services, roads, et cetera. The daily lives of  
19 individual Navajos and Hopis depend on the efficient and  
20 effective operations of programs that serve them, and  
21 these programs have similar goals and needs which are  
22 based on the commonalities which Navajos and Hopis share  
23 as rural Native Americans in Arizona.

24 Thank you, Commissioners, for your time.

25 COMMISSIONER HALL: Thank you, Mr. Begay.

1 Any questions?

2 Lisa?

3 Mr. Perry Yazzie followed by Ed Richards.

4 MR. YAZZIE: Good afternoon. Perry B.

5 Yazzie, P E R R Y, Y A Z Z I E.

6 I'd like to take this opportunity to thank  
7 the Redistricting Commission for this opportunity to  
8 present this testimony and also would like to recognize  
9 the delegation from -- and staff members from the Navajo  
10 Nation and public here.

11 I work for the Navajo transit system,  
12 which I am the director of, which operates the public  
13 transportation and serves members of both the Navajo  
14 Nation and Hopi Indian Tribe. The Navajo Transit System  
15 is a grant by the Federal Transportation System through  
16 the State of Arizona providing public transportation  
17 residents in rural and Northern Arizona since 1980.  
18 Over the 20 years of public service, the transit system  
19 has maintained bus routes connecting major communities  
20 of the Navajo Nation and Hopi Tribe and the border towns  
21 in Northern Arizona. One such bus route runs between  
22 Tuba City and Window Rock, Arizona. The same bus route  
23 serves the Hopi Villages of Moenkopi, Kykotsmovi,  
24 Shungpovi, and Second Mesa, Polacca, as well as Keams  
25 Canyon.

1                   The last fiscal year, from Keams Canyon,  
2 we've provided transportation for 9,099 passengers from  
3 these communities with an operating cost expended on the  
4 transit system of \$46,015. Over the last 20 years, this  
5 has resulted in an approximate accumulation of 160,000  
6 passengers, expenditure of \$809,000 for services  
7 provided in these communities that run through the Hopi  
8 Indian Reservation.

9                   The Navajo Transit System has connected  
10 both the Navajo Reservation and Hopi tribes outside  
11 Indian country.

12                   I support with encouragement the City of  
13 Flagstaff and Coconino County Navajo Transit System of  
14 Navajo and Hopi, our communities, and hope the Hopi seat  
15 with many economic social activities. Most recently, a  
16 new route has what has been established communities  
17 between Tuba City, Flagstaff, US highway 89. Of the 77  
18 passengers within these past several weeks, 27 of them  
19 were Hopi patrons. And the cost related to these has  
20 been in the amount -- cost to operate this route is  
21 approximated at \$123,496.

22                   Of this, \$43,302 are shared and expended  
23 toward the Navajo rideship or Hopi rideship, I'm sorry.  
24 Annually, thousands of people throughout the world come  
25 to the Southwest to experience the cultures of the

1 Navajo Nation and the Hopi Tribe, and enjoy the beauty  
2 of our lands. This provides both Navajo and Hopi with  
3 the much needed tourism dollars that we as Native  
4 American people compete for with the outside world in  
5 the global marketplace.

6                   The Navajo as a transit system charter  
7 services assists the charter system and the Hopi tribes  
8 assist our share of the tourism market, increase our  
9 share of local tourism, and business. San Juan Paiute  
10 tribe and San Juan Nation access to obtain goods and  
11 services, including medical, legal, health, and human  
12 services, as well as transit system, which connect the  
13 Navajo and Hopi employees with employers, students with  
14 colleges and universities, customers with businesses,  
15 and clients with local and regional public services.  
16 These connections are available equally to both Navajos  
17 and Hopis.

18                   It is crucial that the Navajo Nation and  
19 Hopi Tribe, along other Native American tribes, continue  
20 to work together with federal and state agencies  
21 involved in the area of transportation, highways,  
22 tourism, economic development, within the State of  
23 Arizona.

24                   Our shared interests go beyond the  
25 boundaries of the independent Indian tribes to maximize

1 the abilities of Navajos and Indians in the global  
2 marketplace.

3 Local transportation is essential in the  
4 whole of the areas in an endeavor to better serve the  
5 area in unification of efforts of the Navajo Nation and  
6 Hopi Tribe.

7 The Inter Tribal Council of Arizona brings  
8 together the 21 Native American tribes of Arizona, which  
9 includes Navajo and Hopi, through a transportation work  
10 group. This work group collaborates, networks addresses  
11 with specific areas of concern. This type of unity  
12 enhances working relationships with county, state, and  
13 federal agencies for public transportation, in such, for  
14 example, in areas such as to allow welfare to work and  
15 TANF recipients access to jobs, day care centers, in  
16 addition, allowing elderly access to handicapped and  
17 welfare needs, food, shelter, and clothing. There is a  
18 necessity to incorporate public transportation as a part  
19 of the infrastructure needed for economic and community  
20 development which is paramount throughout our country.

21 A unified voice from the Native American  
22 people will aid in working with our neighboring  
23 communities in Arizona and the various federal, state,  
24 highway, and transportation agencies. To fragment the  
25 efforts of native people is not nation building that

1 revolves around our children, family, communities as a  
2 priority. Therefore, I support the decision of the  
3 Independent Redistricting Commission as a result in the  
4 importance of focusing on the unity between the Arizona  
5 tribes and bringing together the Native American  
6 communities through the final Congressional and  
7 Legislative redistricting.

8 Thank you.

9 COMMISSIONER HALL: Thank you, Mr. Yazzie.  
10 If you have a copy of your written comments, for the  
11 benefit of the staff and stenographer.

12 For future speakers, if you would like to  
13 summarize your comments and provide those, they will be  
14 fully taken into account.

15 Ed Richards and then Ms. Judith Dworkin.

16 MR. RICHARDS: Thank you, Commissioners,  
17 for allowing me speak them.

18 Guests, contingency, I'm Ed Richards. I'm  
19 the acting division director for the Division Economic  
20 Development for the Navajo Nation.

21 Under the Navajo Nation, we have a tourism  
22 department that continues to have working relations with  
23 the Hopi Tribe. And the Navajo Nation has existed with  
24 the Hopi Tribe through marketing projects focusing on  
25 increasing visitors to both the Navajo Nation and Hopi

1 Tribe thereby increasing income to the tourists and Hopi  
2 Tribe. The Navajo Tourism Department produces a number  
3 of departments. We have production from tourism, the  
4 Hopi Department purchases a page, and this is the most  
5 recent version of the Discover magazine I have in my hand  
6 here; which is entitled Welcome to Hopi, a Timeless and  
7 Uplifting Experience of Peace and Culture.

8                   This portion of the Discover magazine  
9 features the Hopi artists, Hopi cultural restaurants,  
10 and the Inn, the village of Walpi, and tips for Hopi  
11 visitors.

12                   The Navajo Tourism Department also  
13 published Cowboys and Indians Magazine, which I also  
14 have a copy of, which, actually, is a tour that was  
15 developed by the two tribes including the Haulapai  
16 tribe, a tour that starts in Winslow, works around the  
17 way, all the way I-40 up into Window Rock, down across  
18 Canyon de Chelly over to the Hopi Nation. We do include  
19 the Hopi Nation in this. Again, it does represent their  
20 restaurant, cultural centers, First Mesa consolidated  
21 villages, and Second Mesa, and their artisans and  
22 potters.

23                   The Navajo Tourism Department markets  
24 businesses and events occurring along the entire Arizona  
25 State Highway 264 under it's state designation as a

1 scenic byway.

2                   The Navajo Tourism Department participates  
3 jointly with the Hopi Tribe in tourist-related  
4 associations at the state and national levels. This  
5 participation is designed to benefit both the Navajo  
6 Nation and Hopi Tribe in tourism by linking tourist  
7 designations and events by both Indian tribes and  
8 encouraging tourists to patronize all such businesses  
9 and events.

10                   Recently, we've also been designated, I'm  
11 talking the Navajo Nation, has been getting designated  
12 as an empowerment zone. We fell a little short of  
13 getting an empowerment zone. We do have a community  
14 enterprise designation, called a Four Corners Economic  
15 Community. And in that, it includes the two other  
16 tribes, the Hopi, Paiute, and Mountain Paiute tribes,  
17 working toward coordinating with the Hopi and Paiutes,  
18 to help the economy of those areas. And primarily in  
19 the Hopi area, it covers the Moenkopi community. And  
20 that's how we cover that.

21                   We will also include them in our next  
22 round for an enterprise zone designation, empowerment  
23 designation, which will be coming up very soon, and also  
24 the Hopi Tribe is included in that, too.

25                   Board members that serve on that board are

1 also representatives from the Hopi Tribe and work very  
2 closely together.

3                   The Tuba City regional business  
4 development office, which is part of the division of  
5 economic development, also serves the community of  
6 Moenkopi and any other representatives of any tribes  
7 that come for help in economic development where we  
8 provide certification, business certification, also  
9 provide for business planning, and they are all  
10 included. And we most closely work with, at the  
11 Moenkopi Hopi community.

12                   Again, I do think that we do have a lot of  
13 commonalty. There's a lot of work that has been done  
14 over the years in developing the economy for the Navajo  
15 Nation, including the Hopi Tribe.

16                   I do feel keeping us in one district it  
17 really helps us working together and getting economic  
18 development for our region.

19                   I thank you very much.

20                   COMMISSIONER HALL: Thank you,  
21 Mr. Richards.

22                   The next speaker is Judith Dworkin  
23 followed by Mike Humphrey.

24                   MS. DWORKIN: Thank you very much,  
25 Commissioners and staff of the Arizona Independent

1 Redistricting Commission for hearing my comments this  
2 afternoon. They will be fairly brief. And they will be  
3 directed primarily to the comments in response to the  
4 comments that were heard at the Flagstaff meeting with  
5 respect to counsel for Hopi Tribe, Mr. Canty, with  
6 regard to his position that fair representation,  
7 regarding a constitutional requirement in redistricting  
8 would require this Commission to separate the Hopi Tribe  
9 from the Navajo Nation.

10 J U D I T H, D W O R K I N. I've heard  
11 that often enough, should be able to get it right.

12 The Constitution of the United States does  
13 have a criterion of fair representation. That criterion  
14 really consists of two components, first is mathematical  
15 strength of one person's vote should equal that of  
16 another person's vote, as nearly as practicable.

17 I know that is something that the  
18 Commission has been grappling with and done the  
19 divisions and deviations from that. That is one  
20 component. The second component is assuming substantial  
21 voting equality, redistricting efforts must not operate  
22 to minimize voting strength of the minority components  
23 of the population. The latter, the attempts to insure  
24 the groups interests to receive a fair chance to be  
25 represented through the election of a candidate who

1 reflects those interests, that, of course, is the  
2 portion of the criterion that counsel for the Hopi was  
3 focusing on, not the fact that you couldn't do the  
4 division by minority, however the courts have indicated.  
5 And the courts have relied, primarily, on the broad  
6 groups of racial, ethnic, or political origin to base  
7 this constitutional criterion on. And that makes some  
8 sense, as Commissioners think about where the data is  
9 coming from to do this redistricting. It primarily is  
10 coming from Census data. And that Census data is  
11 collected based upon those broad categories in addition  
12 to simply counting numbers. There are cases, in fact,  
13 where subgroups, subminorities, have not received the  
14 same protection, on which counsel for the Hopis comment.  
15 For example, the Hasidic Tribe -- in the Hasidic Jewish  
16 community, I should be able get that right being a  
17 member of the Jewish community, when the Hasidic Jewish  
18 community sought to get that kind of protection for its  
19 members within a New York county.

20           And I think that the comment of the court  
21 is very helpful to you in thinking about your task ahead  
22 of it, not that I have to remind you. It pointed out in  
23 that particular county there were 20 to 60 clearly  
24 defined subminorities or communities and they only had  
25 8.6 Senate districts and 21.4 assembly districts.

1                   In this situation, if you simply stick to  
2 simply the tribal situation, there are 21 Arizona Indian  
3 tribes. You only have eight districts and 30  
4 Legislative Districts, so you are not going to be able  
5 to put each one of these entities in a separate  
6 district.

7                   You need to look at -- you need not to be  
8 concerned with that from a constitutional requirement.

9                   The other point I want to raise is the  
10 Census data, the way it's collected, what you are  
11 receiving in terms of population reporting of  
12 reservations is in addition to the total population, is  
13 population of Indians or Native Americans within that  
14 reservation. That doesn't -- it does not give you, for  
15 example, the enrolled members of a particular tribe  
16 living on the reservation and being counted there as  
17 opposed to Phoenix, or Tucson, or New York City.

18                   And so when you have an independent  
19 population of the Hopi Tribe or independent population  
20 of the Hopi Nation that by definition includes  
21 representatives from other Indian tribes, Hualapai,  
22 Havasupai, from even eastern tribes that are living on  
23 that reservation and consider that their residence.

24                   It most likely includes people either  
25 employed by that reservation or living -- employed

1 somewhere on that reservation, and for a great group it  
2 includes people that have intermarried.

3 I believe you will hear testimony later  
4 this afternoon about that particular aspect of this  
5 situation, that is Hopis and Navajos that have found a  
6 relationship with one another and married and live  
7 either on the Hopi Reservation or Navajo Reservation.

8 In addition, excluding the Hopi Tribe from  
9 the district, it would, if you will, naturally fall  
10 into, the one closest to the Navajo reservation, which  
11 causes additional issues, issues Mr. Seanez addressed  
12 many times before, and I'll just briefly indicate to  
13 you, Mr. Begay, Speaker Begay, also indicated to you,  
14 provides a wonderfully racially motivated gerrymandered  
15 district, whether an ostrich, or flying giraffe, or some  
16 other description of something, long attenuated  
17 corridors.

18 The counsel for the Hopi Tribe also  
19 advised you the Navajo Nation and Hopi Tribe have a long  
20 history of disputes and somehow you should be -- you  
21 should be -- base your decision on the fact that these  
22 two groups have disputes. Whether it's a hundred years,  
23 140 years, 200 years, we all know that there have been  
24 disputes between the Hopis and Navajos. There is,  
25 however, a broad leap in faith I don't believe you

1 should take that says simply because the Hopis are  
2 placed in a district with Navajos they would in fact  
3 lose their voice in a district that includes the Navajo  
4 Nation, a statement made by counsel for the Hopi Tribe.  
5 In fact, I believe what you have received today and  
6 continue to receive is information that the voice of the  
7 Hopi is heard by the Navajo, by the district in which  
8 both the Hopi and Navajo would be located. In fact, in  
9 the last redistricting litigation in Arizona, there was  
10 in fact an affidavit by Gordon Henderson, which is in  
11 part two to the amicus brief, and Peter Zah, Z A H, in  
12 the Symington for Fair Representation, regarding the  
13 Hopis voting similarly in similar situations.

14                   Finally, in regard to fact the US Supreme  
15 Court has recognized independent tribes constitute  
16 distinct political communities, a recognition that  
17 existed from Whister (phonetic) vs. Georgia decisions  
18 from the Supreme Court, we all understand that these  
19 kinds of legal concepts are used differently in  
20 different situations and a distinct political community,  
21 clearly distinct political communities does not, has  
22 not, under the court's interpretations, meant that they  
23 have constitutionally the right to say that they should  
24 somehow be separated one from another.

25                   Separating the Hopi Tribe from the Navajo

1 Nation is, I believe, inconsistent with constitutional  
2 protection.

3                   The statements you received today  
4 demonstrate that, the statements the Navajo made in the  
5 past, too, of inclusion.

6                   I believe that what is being presented  
7 today is that the constitutional criterion of fair  
8 representation does not require separation of Hopi and  
9 Navajo and that there are clearly strong reasons in  
10 support of putting the Hopi and Navajo together.

11                   Thank you very much.

12                   COMMISSIONER ELDER: Could I ask a couple  
13 questions. First of all, we asked the representative of  
14 the Hopi last time in Flagstaff to give us, I don't know  
15 whether I'm learning more about legalese than I ever  
16 hoped to, a bibliography of the cases discussed to make  
17 sure we're cognizant of all the things going into all  
18 these things.

19                   MS. DWORKIN: Yes, Commissioner Elder.

20                   COMMISSIONER ELDER: The other thing we  
21 asked, so far asked for, so far we're hearing a lot of  
22 things -- I guess what I'm looking for is community of  
23 interest. A lot of things say we're separate, separate,  
24 don't participate here.

25                   There was a gentleman in Holbrook that

1 said something about the Sun Dance and having problems  
2 with that, barriers.

3 What things hold the communities together?

4 MS. DWORKIN: Mr. Elder, because there are  
5 Navajos here that I believe can best speak to -- they've  
6 worked with them. My objective is to simply provide you  
7 with some interpretation from myself with respect to the  
8 legal basis.

9 COMMISSIONER ELDER: Okay.

10 MS. DWORKIN: I think it's very important  
11 you not see this as a constitutional requirement.  
12 Communities of interest do not go to the constitutional  
13 requirement of fair requirement.

14 COMMISSIONER HALL: Ms. Hauser.

15 MS. HAUSER: Ms. Dworkin, one of the items  
16 Mr. Canty testified about in Flagstaff is Hopi and  
17 Navajo are currently separate. If they were put back  
18 together, he made the legal argument for retrogression  
19 there. They currently have an ability to influence in a  
20 non-Navajo dominated district and putting them back with  
21 the Navajo, or putting them together with the Navajo,  
22 would cause retrogression. Could you give us your views  
23 on that?

24 MS. DWORKIN: First of all, I want to  
25 start by referencing the fact that the Hopis are

1 separate only with respect to a concession under the  
2 litigation that the parties to that litigation agreed  
3 and not as a determination of adjudication of the court  
4 they be separate.

5                   But with respect to retrogression, I  
6 believe the issue is going to come down to whether -- I  
7 don't believe -- I did not hear, in the testimony, and I  
8 would certainly like to see anything that counsel  
9 subsequently provided you, but with evidence and  
10 documentation that that retrogression in fact would in  
11 fact be the case, if you look at the independent group,  
12 the minority group.

13                   I believe that we will be providing  
14 documentation as part of our report to the Commission  
15 next week that will, I think, respond more specifically  
16 to that.

17                   MS. HAUSER: Okay. So I'm hearing you are  
18 going to provide some additional arguments in writing?

19                   MS. DWORKIN: We'll provide additional  
20 legal cases I'll site to that with respect to  
21 retrogression.

22                   MS. HAUSER: Do you know roughly when you  
23 plan to submit that?

24                   MS. DWORKIN: We're planning on targeting  
25 Wednesday.

1 DR. ADAMS: The 19th.

2 MS. HAUSER: 19th or 20th.

3 COMMISSIONER HALL: Thank you,  
4 Ms. Dworkin.

5 The next speaker is Mike Humphrey followed  
6 by Sandra Burk following whom we'll make another sweep  
7 of the remote locations.

8 Mr. Humphrey.

9 MR. HUMPHREY: Michael W.  
10 Humphrey, M I C H E A L, H U M P H R E Y.

11 I reside in Linden, Apache County, and I'm  
12 a Republican Committeeman from that area.

13 I would like to say that I support what  
14 I've seen here in this second draft. I thank the  
15 Commission for taking into account the needs of us in  
16 rural Arizona. We need a cohesive voice. And I also  
17 thank them for the great effort they've gone to to hear  
18 all of us, as much as possible, in the second draft  
19 review.

20 That concludes my comments. Thank you  
21 very much.

22 COMMISSIONER HALL: Thank you very much.

23 Our next presenter is Sandra Burk,  
24 following which we'll do a check of our friends in other  
25 areas.

1 Mayor Burk.

2 MAYOR BURK: Good afternoon.

3 I'm Mayor Burk, Commissioner Elder,  
4 Commissioner Hall, from the Mayor of Eagar. For all  
5 those who live in a rural area like I serve, I would  
6 like to express our thanks and appreciation to you for  
7 all the time and effort you have put forth.

8 As Proposition 106 passed and I thought  
9 about the task that the newly appointed Commission would  
10 have before them, I likened it to the needle in the  
11 haystack. Having raised six children, just six, I know  
12 you can't please everybody. But I'm here to echo the  
13 comments that have been made by Senator Brown, who is in  
14 St. Johns at this time, and also Mr. Humphrey.

15 As I stood up to speak, Mayor Ginny  
16 Handorf from Pinetop asked me to state they also are  
17 supportive of this second draft.

18 The rural part of Arizona has unique  
19 issues. We have unique issues to address: mining,  
20 grazing, forest management, different environmental  
21 issues. With those, we feel we need to be in an  
22 independent, a separate Legislative District, as the one  
23 you have proposed in Legislative District E. So we are  
24 very supportive of the second draft.

25 We would like to thank you.

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1                   We would like to add if there is something  
2 we can do to be a further service or help to you, we  
3 would like to do that as well.

4                   And keeping my comments short, I'll spell  
5 my name and the Town of Eagar, S A N D R A, B U R K, and  
6 Eagar, E A G A R. A family name.

7                   COMMISSIONER HALL: Thank you, Mayor Burk.

8                   Mayor Handorf, did I infer, you are  
9 fearful you'll be unable to stay the duration? If that  
10 is your fear, we'll be more than happy to call upon you  
11 at this time, if you are needed to be somewhere.

12                  MAYOR HANDORF: Thank you. I'm Mayor  
13 Handorf.

14                  BRIAN: Commissioners, Holbrook has nasty  
15 weather. If we lose any site, we'll call you.  
16 Typically power does come back on fairly quickly. If we  
17 lose power, sit tight. We'll contact you.

18                  COMMISSIONER HALL: Thank you, Brian.  
19 We'll never deter due to any wet weather for any wet  
20 reason. We'll deal with it.

21                  COMMISSIONER ELDER: That's a rural  
22 comment.

23                  COMMISSIONER HALL: Mayor Handorf.

24                  MAYOR HANDORF: Thank you, Commissioner  
25 Hall, Commissioner Elder.

1 I'll be extremely brief. I want express  
2 we feel you've listened to Eastern Arizona and  
3 appreciate the way you have redistricted us. We did  
4 send letters. Apparently you paid attention to all of  
5 that. And that's a very special feature.

6 I certainly want to tell you that we  
7 support it and are highly encouraged. And please don't  
8 think about undoing that.

9 I think of some of the pressures, you  
10 know, you might be facing in that regard. But realize  
11 we've worked with you. You've worked with us. If other  
12 people want you to work with them, do that. Don't do it  
13 by undoing the good you've done.

14 Thank you very much.

15 COMMISSIONER HALL: Thank you, Mayor  
16 Handorf. We appreciate your comments.

17 Can you go to Kayenta, for us, please.

18 BRIAN: Commissioner, I'd also like let  
19 you know, the center in Polacca, the Hopi center, is  
20 having some difficulties. They are intermittently  
21 dropping off the network. We're working with the  
22 telephone company. It won't be addressed until Monday.  
23 I apologize to the folks in Polacca, the Hopi center.  
24 We keep trying to keep you on as much as we can.

25 We are making a videotape of this. I will

1 give it to the redistricting representative here. I'm  
2 sure that will be available to you.

3 I apologize. We're doing the best we can.

4 We are now at the Kayenta center.

5 COMMISSIONER HALL: Thank you, sir.

6 Mr. MacDonald, it is my understanding you  
7 would like to make a presentation to the Commission.

8 Please spell your name for the benefit of  
9 our reporter.

10 MR. MacDONALD: Chairman MacDONALD,

11 M A C D O N A L D.

12 Members of the Independent Redistricting  
13 Commission, I'm Peter MacDonald, born raised in Teec Nos  
14 Poc, Four Corners, and presently reside in Tuba City,  
15 Arizona.

16 I appreciate this opportunity to  
17 participate in your forum, the new Congressional  
18 District, truly, the unfolding of the Democratic  
19 process. And I want to thank you for that.

20 You know, after listening to many of my  
21 fellow Navajos reacting to the proposed new northern  
22 Congressional District, I would like to concentrate my  
23 remarks on the draft Congressional District before me  
24 that includes the Navajo Nation.

25 My fellow Navajos and I are concerned that

1 the Navajo Nation has been grouped together with Yavapai  
2 County, an area of Arizona with which we share little  
3 common interest. Because of it's rapidly growing  
4 population, Yavapai County is more concerned with  
5 managing its growth than with our issues of economic  
6 development. Yavapai County's Native American  
7 population stands, and every year this population in  
8 Yavapai County becomes more and more diluted. Similar  
9 problems are at work in the included portions of Mohave  
10 County, which is undergoing extensive growth, with a  
11 diluted Native American population of 2.4 percent. And  
12 obviously that population is falling, also, due to rapid  
13 population growth in that area. Indeed, our ties with  
14 neighbors in Prescott, in Kingman, are as historically  
15 and demographically weak as they are geographically  
16 distant.

17                   To be sure, we have a great deal more in  
18 common with the Native Americans of the people of Fort  
19 McDowell, Salt River, Gila River, and Ak-Chin  
20 Reservations, with whom we share a history of common  
21 interest in the current Congressional District Number  
22 Six.

23                   The tradeoff of tribal populations  
24 depicted in the new Congressional draft map will result  
25 in an estimated net loss of over 10,000 Native Americans

1 in the new district. This is just the dilution of  
2 Native American voting power that is being contemplated  
3 by the boundaries of the draft map. The remaining  
4 dilution will occur rapidly through dynamic population  
5 growth in Yavapai and Mohave counties. As the Navajo  
6 Nation is aligned with high growth counties like Yavapai  
7 and Mohave, our voice in this proposed new Congressional  
8 District will diminish. The diluting of our voice that  
9 is not done with redrawing boundaries will, in the end,  
10 be accomplished through disproportionate population  
11 growth and its influence.

12 In the end, what I am asking for truly is  
13 balance. Balance can be achieved by aligning the Navajo  
14 Nation in Arizona with communities of similar interest  
15 and growth patterns. I ask that you instruct --

16 COMMISSIONER HALL: Ladies and gentlemen,  
17 we have someone visiting in the background. If you  
18 refrain from doing so, we can continue.

19 MR. MacDONALD: -- can be achieved by  
20 balancing communities of similar interest and growth  
21 patterns. I ask that you instruct your consultants to  
22 let you view an option in which the new district is  
23 redrawn without the influence of Yavapai County. I ask  
24 that you view an option which expands to include all the  
25 Phoenix Metro area tribes and perhaps portions of Pinal

1 County. These are a few ideas that I believe might help  
2 you keep equal populations of common interest together  
3 in the new district.

4 With regards to other communities of  
5 interest that the Commission might seek to include in  
6 this new district, I honestly believe that the Hopi and  
7 Navajo peoples have more in common than we do in  
8 conflict, but should they seek alternative Congressional  
9 representation, I certainly respect their wishes.

10 It's imperative, then, that I ask, please,  
11 direct your consultants to lend their best efforts and  
12 technical expertise to viewing these options before any  
13 final decisions are made on this draft Congressional  
14 map.

15 Please take your time to see all of the  
16 redistricting options, especially as they play out  
17 through population growth over the next decade.

18 I wish you all good luck in your  
19 endeavors.

20 Thank you for this opportunity to share my  
21 view with the Commission.

22 COMMISSIONER HALL: Mr. MacDonald, thank  
23 you for your input.

24 With your permission I would like to ask  
25 you a question. Can you hear me okay?

1                   As you know, the present configuration of  
2 C includes the northern metropolitan tribes, as it  
3 stands. We intentionally did that as it raises the  
4 Native American percentage of that district a little  
5 over, my recollection, 24 percent. The proposal you  
6 made is a rather interesting proposal. I can tell you  
7 it is something we'll look at. The challenges on its  
8 face, though, is given my -- just working in my own head  
9 is I don't think there is sufficient population in the  
10 rural areas you mentioned to replace the rural areas  
11 you'd like to replace them with. Therefore, here is my  
12 question. Would it be your preference to have a  
13 completely and entirely rural Congressional District or  
14 would it be your preference to remove the areas that you  
15 have referred to and thereby have that, this  
16 Congressional District influenced to some degree, some  
17 degree, by a metropolitan area?

18                   MR. MacDONALD: I believe the latter.

19                   Some of the rural areas, we may have how  
20 many geographic patterns, but growth and economic  
21 endeavors are very, very different.

22                   COMMISSIONER HALL: Okay. Thank you. I  
23 appreciate that.

24                   Ms. Adams, do you have any questions for  
25 Mr. MacDonald?

1 Thank you very much.

2 Is there anyone else in the immediate  
3 surroundings while in Kayenta that wish to speak to the  
4 Commission.

5 MS. SVITAK: No. Thank you.

6 COMMISSIONER HALL: If I can ask the  
7 control room in Houston to transfer us -- go to Winslow  
8 while doing this.

9 Is there anyone in Winslow now that would  
10 like to speak to us?

11 MS. VILLARREAL: Only one lady with a  
12 question.

13 COMMISSIONER HALL: Yes?

14 I'd like to be able to see Winslow first.  
15 If we could wait one second, please.

16 COMMISSIONER HALL: Brian, can you hear  
17 me?

18 BRIAN: I'll make sure -- we don't have  
19 Winslow yet. Let's make sure we get to Winslow.

20 COMMISSIONER HALL: Thank you.

21 BRIAN: I'll go into the control room to  
22 do that. Give me about 30 seconds.

23 COMMISSIONER HALL: Yes, ma'am. I  
24 understand you have a question. I'd ask you state your  
25 name and spell it for us, first and last name, and we'd

1 be happy to hear from you.

2 MS. HODGES: My name is Brooke Hodges,  
3 B R O O K E, H O D G E S. I'm with the Winslow Mail  
4 Newspaper here in Winslow.

5 I have a question for you, Commissioner  
6 Hall, two, real quick.

7 Now that this, these maps have been  
8 delivered to the public, almost through the whole second  
9 round public forums, what is the plan now? How long do  
10 you estimate until the final decision to hand them out?

11 COMMISSIONER HALL: Thank you for that  
12 question.

13 We, as you know, today had the last round  
14 of second public hearings. We'll meet with the  
15 consultants individually and collectively as a  
16 Commission over the next few weeks. Our plan is in mid  
17 October to have the final adopted plan to turn over to  
18 counsel and the consultants and where they will do the  
19 final preparation for submission of that plan to  
20 Department of Justice.

21 MS. HODGES: Okay.

22 COMMISSIONER HALL: Brian, please,  
23 transfer to Holbrook.

24 Is there anyone in Holbrook that feels  
25 inspired by the proceedings and wishes to speak?

1 BRIAN: Folks in Holbrook, have anybody?

2 A VOICE: Yes.

3 BRIAN: Control, Holbrook now?

4 COMMISSIONER HALL: We are there.

5 State your name and spell for the benefit  
6 of the reporter. I'm happy to hear from you.

7 MR. MARTINEZ: Sam Martinez, S A M,

8 M A R T I N E Z. Two questions.

9 First one involves when the districts were  
10 taken into consideration for the Congressional and  
11 Legislative, regarding the Hopi Tribe, why was  
12 consideration not consistent with the State drawing as  
13 the Congressional drawing? Are their interests  
14 different on a Legislative level as opposed to  
15 Congressional level?

16 That's my first question. I'll leave it  
17 at that.

18 COMMISSIONER HALL: Thank you for the  
19 question.

20 First of all, let me reiterate the fact  
21 the draft plans, no final decision has been made as to  
22 any venue. If I can give you my sense of why the  
23 current drafts exist as they do now, I'd be happy to do  
24 so.

25 A number of the disputes that have

1 historically occurred between the two tribes have been  
2 of a federal nature. And there seemed to be a clear  
3 feeling among, I think, our fellow Commission, at least,  
4 at the draft phase, which should be separated given the  
5 history that has existed.

6                   Whether or not that will be the final  
7 configuration, I could not give you my slightest guess.

8                   With respect to Legislative, however, I  
9 think there's a feeling to look at it as it currently  
10 exists and try and determine and hear the comment  
11 relative to its current configuration and make a  
12 determination as to what would be the best way to handle  
13 it in our final version.

14                   MR. MARTINEZ: Okay.

15                   My second question is now you've heard a  
16 number of different viewpoints from the communities.  
17 How is competitiveness going to be introduced in this  
18 process? Is it going to be taken into consideration to  
19 assure competitiveness in the Congressional Districts?

20                   COMMISSIONER HALL: Competitiveness, we  
21 were not allowed to consider competitiveness in the  
22 initial process. We're in the process of taking into  
23 consideration competitiveness. We've hired consultants,  
24 have voting history data, racial block data, and are  
25 considering that to see what to do and still comply with

1 the Voting Rights Act, make sure we meet all the other  
2 goals of Proposition 106, and hopefully try to adjust  
3 some districts in an effort to create a greater level of  
4 competitiveness.

5                   The last requirement, I'll not quote it  
6 exactly, says "Competitive districts shall be favored  
7 where to do so there is no significant detriment to any  
8 of the other goals." Well, one is a competitive  
9 district becoming a significant detriment. Another is  
10 we should favor them. It's a challenge for us to  
11 balance the various issues in an effort to do the best  
12 we can.

13                   The Commission is considering that and  
14 certainly it will be part of the adjustments we make in  
15 the latter phases.

16                   Mr. Elder, is there something you want to  
17 add?

18                   COMMISSIONER ELDER: Can you hear me?  
19 This is Commissioner Elder.

20                   MR. MARTINEZ: Are you addressing me? I  
21 can hear him.

22                   COMMISSIONER ELDER: One of the things we're looking at  
23 right now, we've been through approximately 18 meetings  
24 or hearings in the second round. As we went through the  
25 first five or six, the Commissioners identified some

1 issues we wanted have to taken a look at by our  
2 consultants. Each time now, as Joshua said, each time  
3 we're looking things, starting to look at  
4 competitiveness. Also, each time we make a move, we'll  
5 get an indication of whether it has increased or  
6 decreased competitiveness. It's an ongoing process now.  
7 But as we go further into the process and take the  
8 issues and the information we got from this meeting and  
9 the preceding four, five days of meetings, we'll come up  
10 with another series of alternatives we'd like to have  
11 them take a look at to determine what competitiveness  
12 is. That's where we're at now.

13 MR. MARTINEZ: How can the community  
14 monitor the process and can we give input?

15 COMMISSIONER HALL: Input is always  
16 welcome.

17 It's a public process. We'll be holding  
18 meetings in Phoenix in the next few weeks. There's the  
19 website, telephone, fax, however you like, we'd love,  
20 want you to do so. For example, we had a hearing in  
21 Glendale, received an amended map presented to the  
22 Commission by the Coalition for Fair Redistricting which  
23 adjusted even their own initial requests to consider to  
24 try to make districts, some, more competitive.

25 We're receiving feedback as speak.

1 More questions?

2 Is there anyone else in the immediate  
3 surroundings that would like to speak to the Commission  
4 at this time.

5 MS. VILLAREAL: No one else.

6 COMMISSIONER HALL: While moving to  
7 Snowflake/Taylor, my Executive Director pointed out I  
8 committed an administrative snafu.

9 I assume no one here needed a Navajo  
10 translation. Is that safe to say, Mr. Begay?

11 SPEAKER BEGAY: Safe to say.

12 MR. ECHEVESTE: We have translation  
13 present.

14 COMMISSIONER HALL: We have it.  
15 Hispanic translation services here as  
16 well.

17 Mrs. Rezzonico, is there anyone there that  
18 would like to speak to the Commission?

19 Amy, anyone that would like to speak to  
20 the Commission?

21 COMMISSIONER ELDER: Quietest I've ever  
22 heard her.

23 COMMISSIONER HALL: Mrs. Rezzonico.

24 MS. REZZONICO: I'm here and heard  
25 everything you guys said about me.

1 COMMISSIONER HALL: It was all positive.

2 Do either of the folks with you there,

3 would they like to make a presentation to this

4 Commission?

5 MS. REZZONICO: No, Mr. Hall.

6 COMMISSIONER HALL: Thank you.

7 If we move to the St. Johns area then.

8 St. Johns, would anyone in St. Johns like

9 to speak to this Commission?

10 ST. JOHNS OUTREACH: Not at this time.

11 COMMISSIONER ELDER: I would like to ask

12 that particular location, because Senator Brown, I

13 assume, is still there, one of the things we're trying

14 to do is juggle competing or similar interests.

15 Given that as a fact, would you comment

16 whether, if we had to take, say, Gila River Valley out

17 of the Legislative District add in Verde River, or vice

18 versa, what is preferable and/or why?

19 SENATOR BROWN: It's preferable like we

20 have it now.

21 Can you hear me over there?

22 COMMISSIONER ELDER: Yes, sir.

23 SENATOR BROWN: We fit a lot better with

24 the people in that end than we do over in the Verde

25 Valley. Verde is just not on our side of the mountain.

1 They're the south, westward, don't fit in Gila Valley  
2 and the southern end of our district. We feel like  
3 we're united now, five times united. You can make a  
4 district almost perfect like we have it, and we like it  
5 in your plan east.

6 COMMISSIONER ELDER: Thank you.

7 COMMISSIONER HALL: Anyone else in.

8 St. Johns we did not catch in the first sweep?

9 ST. JOHNS OUTREACH: No. Thank you.

10 COMMISSIONER HALL: If we move to  
11 Springerville/Eagar.

12 MS. LE: Mr. Hall, we have one speaker.

13 COMMISSIONER HALL: Okay. State and spell  
14 your name for our benefit and that of the reporter.  
15 We'd love to hear from you.

16 MS. GOLIGHTLY: Nancy Golightly, N A N C Y,  
17 G O L I G H T L Y.

18 COMMISSIONER HALL: Nancy, how you doing?

19 MS. GOLIGHTLY: Great.

20 This is the first public hearing I  
21 attended. Listening to various reports from various  
22 senators and various people, it's very obvious to me the  
23 Hopi Tribe historically and currently has very, very  
24 different needs, using the Congressional District to  
25 separate out the Hopi Tribe, you should also follow suit

1 with the Legislative Districts instead of lumping  
2 together all Native American tribes in the northern part  
3 of the state.

4 As sitting down, what we've done, with the  
5 tragicness on Tuesday, people thinking anyone from a  
6 Middle Eastern country, anyone from the Middle East is  
7 suspect, it's ironic, Pakistan, Afghanistan, and they're  
8 not.

9 Hopi should have their own Legislative,  
10 Congressional District.

11 COMMISSIONER HALL: Thank you,  
12 Mrs. Golightly.

13 Would anyone else from the immediate  
14 surrounding like to address the Commission?

15 Thank you.

16 If we could move to Polacca.

17 Polacca?

18 Brian?

19 COMMISSIONER ELDER: Trouble.

20 BRIAN: Never reached Heber.

21 COMMISSIONER HALL: Mr. Saunders, that's  
22 Kayenta.

23 That's Holbrook.

24 BRIAN: Polacca, I think, can see us.

25 A VOICE: They're totally down right now.

1                   COMMISSIONER HALL: With that, ladies and  
2 gentlemen, there are a few more speakers to be heard.

3                   Prior to doing so, I received a signal  
4 prior to my stenographer would need to take about a  
5 five-minute break. If we could do so, let's reconvene  
6 the meeting in five minutes.

7                   MR. SAUNDERS: Mike Saunders, Polacca.

8                   COMMISSIONER HALL: Is there anyone that  
9 wants to speak to us?

10                  Mike?

11                  BRIAN: They see us.

12                  COMMISSIONER HALL: Anyone that wants to  
13 speak to us?

14                  MR. SAUNDERS: A young lady from the  
15 Navajo Times, not speaking.

16                  A VOICE: A gentleman from the Times.

17                  COMMISSIONER HALL: A lady from the Navajo  
18 Times wants to ask questions, correct?

19                  MR. SAUNDERS: How many?

20                  COMMISSIONER ELDER: Two.

21                  COMMISSIONER HALL: While we're here. We  
22 may never come back, not intentionally.

23                  MS. HOLLOWHORN: Sasheen, S A S H E E N,  
24 H O L L O W H O R N.

25                  I just had a general question, how you

1    figured out the Congressional Districts C and  
2    Congressional District A. Just judging by your booklet  
3    handed out, it looks kind of like a gerrymander. I  
4    wonder if you can explain it to us.

5                    COMMISSIONER HALL: Sure.

6                    The desire of Congressional District C,  
7    one of the Congressional Districts, is for it to be  
8    entirely rural, void of any metropolitan area of  
9    influence. Feedback I'm getting, what I assume you are  
10   referring to, when you use the word gerrymander, it was  
11   also the desire of the Commission in so doing, to  
12   maintain separateness, at least at the draft level,  
13   between the Hopi Nation and Navajo Nation.

14                   You also ask about District A?

15                   MS. HOLLOWHORN: You answered that.

16                   COMMISSIONER HALL: Did you have any other  
17   questions?

18                   MS. HOLLOWHORN: No, I don't.

19                   COMMISSIONER HALL: Thank you.

20                   With that, ladies and gentlemen, we'll  
21   take a five-minute break.

22                   (Whereupon, the Commission stood in recess  
23   for approximately five minutes.)

24                   COMMISSIONER HALL: Ladies and gentlemen,  
25   here and yon, reattach yourself to your previous

1 location.

2 Ladies and gentlemen, those of you here  
3 and you, I think I'm looking at Springerville, if I  
4 could please have your attention, we're going to  
5 reconvene this meeting.

6 Ladies and gentlemen?

7 Ladies and gentlemen, we'll definitely  
8 redraw your district lines if you are unable.

9 (Laughter) I'm joking, of course, for the record.

10 This, ladies and gentlemen, in some in  
11 remote locations we apologize for interrupting whatever  
12 conversations you are having.

13 Brian, does this system have a short  
14 capability.

15 Brian, can you hear me?

16 MR. ECHEVESTE: Susan.

17 COMMISSIONER HALL: Mr. MacDonald, can you  
18 hear me? You can. I wondered if everyone else in  
19 remote locations can hear us.

20 Those remote locations, we again are ready  
21 to reconvene. We'd appreciate your quiet as we proceed  
22 with additional public comment here in Show Low for  
23 probably the remainder of the public comment. According  
24 to my information, for those in other locations we'll  
25 take the speakers in Show Low. If at any remote

1 location there are any late attendees, unless any of our  
2 staff advise us somebody out there would like to speak,  
3 I'll assume we've heard everyone at the remote  
4 locations.

5 MR. ECHEVESTE: Heber one more time, if we  
6 get Heber on the line.

7 COMMISSIONER HALL: Were we ever able  
8 connect with Heber?

9 BRIAN: No, we weren't.

10 Want a representative? We've been calling  
11 that number from cellphones. They're not in the room  
12 or, cellphones.

13 If they want to drive, could drive to  
14 Snowflake.

15 COMMISSIONER HALL: That's okay. I know  
16 the people here with us, many live in Heber. They can  
17 spread the word. We're going to move forward.

18 With that, then, I'll go ahead and call on  
19 Alex Yazza followed by Mr. -- I thought the name was  
20 Darrell Watchman.

21 Alex Yazza followed by Darrell Watchman.

22 MR. YAZZA: Good evening, Commissioner  
23 Elder, Commissioner Hall, members of the Arizona  
24 Independent Redistricting Commission. I'm Alex Yazza,  
25 Jr., A L E X, Y A Z Z A, J R.

1 I am here on behalf of two issues that I'd  
2 like to address on behalf the Navajo Nation. First, if  
3 I could begin with issues regarding Navajo Nation health  
4 and also the issues of the Navajo Nation's Temporary  
5 Assistance for Needy Families program which, by the way,  
6 I'm the department director of the Navajo Nation TANF  
7 program. If that's allowed, I'll proceed with that.

8 COMMISSIONER HALL: Thank you.

9 MR. YAZZA: With regard to statements  
10 regarding the provision of health, again, in support of  
11 the Navajo Nation's initiative for the redistricting  
12 process.

13 In regards to the Navajo Division of  
14 Health, the Navajo Nation Division of Health supported  
15 Division of Health Services to both Navajos and Hopis.  
16 Both Navajos and Hopis reside in rural and remote areas  
17 of Arizona and have similar issues regarding health care  
18 facilities, services, poor housing conditions, diet,  
19 poverty, combined physical isolation and poor road  
20 conditions, which create very similar sets of health  
21 problems and they have similar areas to access acute  
22 health care and need better health services.

23 They have shared health services for  
24 injuries due to automobile accidents, diabetes,  
25 pneumonia, and other transmittable diseases, limited

1 health care facilities and resources in Northern Arizona  
2 that meet the needs of both the Navajo and Hopi  
3 facilities and resources that require careful planning  
4 and coordination between the Navajo Nation and Hopi  
5 Tribe.

6                   There are several Navajo Area Indian  
7 Health Services, which is the NAIHS facilities, serve  
8 the Navajo and Hopi communities. The Tuba City Service  
9 Unit is the primary health community, Tuba Indian  
10 Medical Center includes a coverage area for the nearby  
11 Hopi Village of Moenkopi as well as many Hopi residents  
12 of the Tuba City community.

13                   The Tuba City Indian Community has a full  
14 charge emergency ambulatory inpatient acute and  
15 specialty care services to all eligible beneficiaries of  
16 the Navajo Nation and Hopi Tribe.

17                   Fiscal year '97, 642 patients from  
18 Moenkopi were seen. 4,332 visits for hospitalizations  
19 at Tuba City Indian Medical Center. Almost 6,000  
20 additional visits and hospitalizations occurred at Tuba  
21 City Indian Medical Center involving Hopi residents that  
22 go to Keams Canyon and Hopi, as well the Keams Canyon  
23 Services Unit located administratively with the Phoenix  
24 area Independent Health Services through a negotiated  
25 shared health services, the Navajo Area Indian Health

1 Services for services to Hopi residents in Keams Canyon  
2 and the Hopi valley areas include contract health  
3 services and contract dental services.

4 Provision of health services by Navajo  
5 Indian Health Service facilities is not, by any means,  
6 limited to the Tuba City Indian Medical Center. Hopi  
7 patients are served at numerous other Navajo area Indian  
8 Health Center facilities.

9 As an example, let me follow through with  
10 these facilities: Chinle Service Unit, 27 Hopi patients  
11 were seen, 134 visits and hospitalizations; Fort  
12 Defiance Service Unit, 24 patients seen, 150 patients  
13 and hospitalizations; Gallup, New Mexico, 159 patients  
14 seen, 699 visits and hospitalizations; in the Kayenta  
15 Service Unit, 130 patients, 138 visits and  
16 hospitalizations; Shiprock Service Unit, 30 patients  
17 seen, 128 visits and hospitalizations, and Winslow  
18 Service Unit, 543 Hopi patients seen, 2,156 visits and  
19 hospitalizations; closer, IHS, Keams Canyon, Tuba City  
20 Indian Medical Center now provides the majority of  
21 inpatient residents from Moenkopi and other Hopi  
22 residents as well. Navajo and Hopi are seen at Second  
23 Mesa, residents of Hopi and nearby Navajo residents.

24 The Navajo Nation and Hopi Tribe worked  
25 cooperatively in obtain funding and priority for

1 construction of the Second Mesa Health Center.

2 To summarize, the delivery of health care  
3 services and facilities to Navajos and Hopi,  
4 construction, required careful planning and cooperation  
5 between the Navajo Nation and Hopi Tribe.

6 Sharing of health care facilities has  
7 historically existed between the Navajo Nation and Hopi  
8 Tribe.

9 Shared living conditions and location of  
10 Navajos and Hopi within a remote and rural Northern  
11 Arizona dictate continuation of this connection.

12 I'd like to further comment on the Navajo  
13 Nation TANF program, if I may proceed with that.

14 This is my statement regarding the Navajo  
15 Nation TANF program. Pursuant to Public Law 104, 193  
16 Section 412, also known as the Personal Responsibility  
17 and Work Opportunity Reconstruction Act of 1996, also  
18 known as the Welfare Reform Act, the Navajo Nation  
19 submitted a tribal family assistance plan to administer  
20 its own temporary assistance to needy families in the  
21 states of New Mexico, Arizona, and Utah. This law would  
22 provide Indians cash assistance and support assistance  
23 for Indian families in Indian country, we've taken on  
24 the challenges to administer the TANF program.  
25 Historically, the TANF program, for 60 plus years, the

1 TANF is Aid to Families and Dependent Children, or the  
2 AFDC program. As such, 21 tribes in the State of  
3 Arizona and currently five tribes have been approved by  
4 the Secretary of the United States Department of Health  
5 and Public Services to deliver their own. The Navajo  
6 Nation, Hopi Tribe, White Mountain Apache Tribe, Salt  
7 River, Pima River Indian Community, and Pascua Yaqui  
8 tribe. In all, these tribes serve 10,000 Indian TANF  
9 families in the State of Arizona and service delivery  
10 areas.

11 These tribes provide cash assistance to  
12 tribal members and the states continue to provide food  
13 stamps and medical assistance to the same families.

14 The Navajo Nation began to implement the  
15 Tribal TANF program beginning October 1st, 2001, to  
16 serve approximately 9,000 families in the tri-state  
17 region. With that we will be providing a total amount  
18 of \$31.2 million in federal cash assistance as well as  
19 the administrative cost to operate the program.

20 The Navajo Nation will provide services of  
21 cash assistance and employment support service that  
22 includes child care, child support enforcement, work  
23 force development for employment training, general  
24 assistance, and transportation and other services to  
25 assist Navajo families to end dependency on welfare and

1 become self-sufficient.

2                   Speaking in regards to the state  
3 redistricting initiative, please allow me to comment on  
4 the relationship the Indian tribes have with the states  
5 as well as the tribal-to-tribal relationship in  
6 providing human services.

7                   State tribal relationship. The Welfare  
8 Reform Law creates unique federal policy that Indian  
9 that tribes enter inter-governmental agreements  
10 irrespective of states receive a portion of state TANF  
11 funds for converting these funds into a Tribal Family  
12 Assistance Grant for the Indian Tribe. The federal  
13 share funding amount becomes the tribal TANF funds to  
14 Indians and direct amounts for tribal recipients.

15                   The welfare law has a unique amount for  
16 non-Indian tribal and the state tribal partnership in  
17 delivery of tribal assistance for family. 45 CFR Parts  
18 286, 287, which is the Rules and Regulations for tribal  
19 TANF programs, gives tribes better flexibility in their  
20 own service delivery area, service population, and  
21 program population for tribal TANF, with light  
22 flexibility to how tribes work together closely on state  
23 human services on a coordinated basis.

24                   Thus far, the State of Arizona has done a  
25 satisfactory job in working with the tribes.

1                   These are issues and concerns from the  
2 Indian tribal communities concerning the state TANF  
3 funds. Accessibility to state funds help tribes  
4 successfully implement state TANF funds, capital outlay  
5 appropriation, access state TANF funds for other state  
6 supplemental funding.

7                   Most often state legislators do not  
8 consider funding for tribes and this creates a dilemma  
9 for the tribes and tribal relationships.

10                   Tribes have taken an initiative to  
11 administer their own tribal TANF programs. Five tribes  
12 are administering their own TANF in this state.

13                   Nationally, states formally organized to  
14 represent state government interests through the  
15 National Governors Association, Western Governors  
16 Association, and American Public Health and Human  
17 Services Association. To affect tribal governments and  
18 its people, in Indian country, the National Congress of  
19 American Indians established the Tribal TANF Indian Work  
20 Group to address tribal issues upcoming reformation in  
21 the upcoming law year 2002. The Work Group understands  
22 the need to unify and advocate tribal issues regarding  
23 tribal TANF in the State of Arizona.

24                   There are five tribal TANF tribes coming  
25 to form the Southwest Tribal TANF Coalition to address

1 reauthorization of other tribal issues concerning  
2 welfare reform. A representative of the Navajo Nation  
3 and Tribal Reformation co-chair it in creation of the  
4 coalition and in continued advocacy of policy.

5 Both the Hopi and Navajo Nation see common  
6 issues to address in reauthorization and better service  
7 delivery coordination.

8 It's very important to underscore that  
9 both the Hopi and Navajo Nations address TANF delivery  
10 areas and service since they are in reservations next  
11 each other.

12 For example, one issue is on service  
13 populations. Since both tribes, whether they intend to  
14 serve tribal or rural members, all families, native,  
15 non-native irrespective of service to delivery members,  
16 in this case it addresses the Navajo Hopi families and  
17 each respective SDA in the respective tribal TANF plans.  
18 Thus the tribes may have to enter into agreements for  
19 providing services in these areas.

20 At best, the coalition brought together  
21 common tribal issues in this effort.

22 In conclusion, in the name of humanity,  
23 the Navajo Nation and Hopi Nation share equal  
24 responsibility in providing TANF human services to  
25 tribal members. There is no distinct separation or

1 segregation. They're serving all Indian peoples,  
2 non-Indian peoples, non-Reservation lands, particularly  
3 in using federal resources, using these resources.

4           The Navajo and Hopi Nation need to  
5 continue to coordinate serving all tribal families to  
6 meet the basic needs, to become self-sufficient. In  
7 this case, our children come first, since they are the  
8 hope and future of our peoples in this time of federal  
9 and state devolution. Indian tribes need to unite in a  
10 spirit of cooperation.

11           I strongly advocate the tribal interests.  
12 The United States Congress needs to heed advocacy of the  
13 tribes to become a better nation, all in the name of  
14 tribal nation building.

15           Thank you.

16           COMMISSIONER HALL: Thank you, Mr. Yazza.

17           The next speaker is Darrell Watchman.

18           Again, folks, if you have information in  
19 writing, we're glad to accept it.

20           Mr. Watchman.

21           MR. WATCHMAN: Good evening, Chairman of  
22 the Arizona Independent Redistricting Commission and  
23 members, and public.

24           I'm Darrell Watchman, D A R R E L L,  
25 W A T C H M A N.

1 I'm here to speak on behalf of the  
2 division of education.

3 The division of education consists of 11  
4 programs and covers the entire Navajo Nation and  
5 provides services to all children, including Hopi  
6 children attending Navajo schools, including those set  
7 forth below, Tuba City High School, 103 Hopi students;  
8 Tuba City Junior High School, 56 Hopi students; Eagles  
9 Nest School, 51 Hopi students; Grey Hills Academy  
10 School, 9 Hopi students.

11 Navajo students also attend Hopi schools  
12 and teachers and administrators work jointly within the  
13 school system serving both tribes.

14 There is significant interaction  
15 coordination between the Navajo and Hopi Tribe and  
16 education, for example, the North Central Association, a  
17 monitoring technical services program, is an agency  
18 which accredits schools administered by the Navajo  
19 Nation and by the Hopi Tribe. This program provides  
20 technical assistance to both Navajo and Hopi schools  
21 upon request. The North Central Association monitoring  
22 and technical services program maintained good  
23 coordination of both the Navajo and Hopi Tribe.

24 The office on Education and Rehabilitation  
25 Services, the office provided services in vocational

1 rehabilitation to members of both the Navajo Nation and  
2 Hopi Tribe, and has assisted the Hopi Tribe in the  
3 preparation of the Hopi Tribe Section 121 grant  
4 application.

5                   The Navajo Nation provided \$451,000. The  
6 Navajo Nation trust funds for handicapped services the  
7 Hopi Tribe project to assist the Indian Center for  
8 Independent Living.

9                   The office on education and rehabilitation  
10 services in Tuba City, industrial laundry, provides  
11 laundry and dry cleaning services to tribal institutions  
12 of both the Navajo Nation and Hopi Tribe upon request.

13                   The office of education and rehabilitation  
14 services, early childhood intervention program,  
15 coordinates child find activities for children in the  
16 tribe with special needs.

17                   The office of culture is on the internet  
18 here. The office coordinates students, Hopi students,  
19 administrators, and/or school board members. The office  
20 respects the Hopi culture and language, reveres sacred  
21 sites, both of the Navajo Nation and Hopi Tribe.

22 Practitioners provide traditional healing ceremonies  
23 from both the Navajo Nation and Hopi Tribe upon youth.

24                   The office of youth works with Hopi and  
25 Navajo youth. The office of youth worked with the Hopi

1 and Navajo youth. NA Youth, Tuba City Youth hosting a  
2 5K fun run during an annually event.

3 This type of coordination has existed  
4 between the Navajo Nation and Hopi Tribe for many years  
5 and will continue for the benefit and partnership of  
6 both the Navajo and Hopi youth.

7 The Office of NA Youth works out of Fort  
8 Defiance with a Gallup Indian Spelling Bee. The Office  
9 of NA Youth at Fort Defiance coordinates the Fort  
10 Defiance main contact office, all Hopi schools,  
11 advocates for participation of Hopi students in this  
12 event.

13 The Office of NA Youth program is  
14 currently working in high schools to sponsor career  
15 dates in the NA High School. The Office of NA Youth  
16 Opportunity Program currently sponsors career days at NA  
17 High Schools throughout the NA Nation.

18 Deputy Johnson O'Malley serves members of  
19 the Hopi tribes through JOM subcontracts. Most students  
20 on JOM subcontracts are located with the following  
21 contracts: Tuba City Unified School District, Cedar  
22 Unified School District, Winslow Unified School  
23 District, Flagstaff Unified School District, and  
24 Holbrook Unified School District. There are many more  
25 Hopi school districts served under the remainder of the

1 DOJ school districts not attending schools in close  
2 proximity or close proximity, many less than the  
3 above-named school districts.

4                   Members of the Hopi Tribe included Indian  
5 communities, JOM subcontractors. One good example is  
6 the Cedar Unified School District. Many Hopi students  
7 are bussed in from the Hopi Reservation and enrolled in  
8 the district in significant numbers.

9                   Finally, the Department of Head Start  
10 provides services to Navajo and Hopi children of  
11 intermarriage. Parents of both the Navajo Nation, Hopi  
12 Tribe, serve on the Head Start Parent Advisory Council  
13 and participate in Head Start activities.

14                   COMMISSIONER HALL: Thank you,  
15 Mr. Watchman.

16                   Next, Mr. Lewis Tenney followed by Criss  
17 Cardelarie.

18                   MR. CARDELARIE: Take my name off the  
19 list. I had my question answered.

20                   COMMISSIONER HALL: Thank you.

21                   Mr. Tenney.

22                   SUPERVISOR TENNEY: I'm Lewis Tenney,  
23 L E W I S, T E N N E Y.

24                   I appreciate very much the opportunity to  
25 speak to this Commission, and along with all that has

1 been expressed previously, appreciate the work that you  
2 folks are doing.

3 I serve on the Board of Supervisors of  
4 Navajo County. I'm also an Executive Director, member  
5 of the Executive Board of the Eastern County  
6 Organization and I'm active in state and county  
7 government.

8 The position Navajo County finds itself in  
9 I think was wonderfully addressed by Jesse Thompson  
10 earlier. We've had a wonderful relationship with the  
11 Indian tribes within this county, and we have had no  
12 contention or problems with these people at all. We  
13 have great respect, one to another.

14 We appreciate your culture.

15 They are represented well by Jesse  
16 Thompson and Percy Deal. And we have had a wonderful  
17 relationship. This is the first time that we have  
18 really been at different ends of the spectrum at what we  
19 are recommending.

20 We had a strong desire to support the  
21 Navajo Nation in their Congressional District. And we  
22 have -- we have done so, up to a point. And -- and then  
23 we felt like it just wasn't right for us.

24 None of us want to be forced to do that  
25 what we don't want to do or goes against our will. Hopi

1 and the Navajo Nation have special issues they have to  
2 workout. I think it will take time to see this healing  
3 for them to work together to where they are able to heal  
4 and where they see that their commonalty is enough that  
5 they want to be together. But one of the concerns that  
6 I see for this Commission, and I see for this draft  
7 proposed Congressional District, you have reached out  
8 and picked up many Native American tribes. And I  
9 support that. I said in my previous testimony I support  
10 that. But I think if the Hopi people are actually  
11 forced to come back into this Congressional District, I  
12 think then we may lean toward the packing of that. I  
13 don't think today we have a Legislative District that  
14 has as high a percentage Native American district as  
15 this proposes. I think they deserve that  
16 representation.

17                   What I see from a state and county issue,  
18 that they are more regional. Those issues, even though  
19 we have a lot of basic issues we're all dealing with,  
20 the county issues, and I say the issues, a lot are very  
21 regional.

22                   You mentioned, if I had to break up from a  
23 Legislative group: Gila County, move toward Yavapai  
24 County. These five eastern county groups, the proposal  
25 has been made, was made for a very strong reason. The

1 fact that we have worked tirelessly for many years on  
2 basic issues. We belong to the Coalition of counties of  
3 Arizona and New Mexico on federal land issues. Yavapai  
4 County is free to join that and has never done so. We  
5 have the Blueridge Working Group, the Eastern County  
6 Organization they can be a part of.

7 Their issues are so different, they've  
8 never applied to be part of those issues and those  
9 groups.

10 If you move us to that direction, then it  
11 waters down what has been gained by these five eastern  
12 counties over the last decade.

13 Now, one of the things, in the interest of  
14 time, I will not read them. I have two resolutions  
15 passed on Monday, unanimously, by the Navajo County  
16 Board of Supervisors, signed by Chairman Percy Deal.  
17 They support the Congressional District drafted here.  
18 And it talks about the good relationship that we've had  
19 with the Navajo people and also the Hopi people. We  
20 want to continue with that. But we feel that it's  
21 important to support it as it's drafted and also to  
22 support the proposed Legislative District and keep the  
23 five eastern county proposals intact. Please keep that  
24 intact. I would like to make this part of the record  
25 and hand this to you. There's an issue, also, another

1 letter signed by Dallas Massey of the White Mountain  
2 Apache Tribe in support of the five county eastern  
3 proposal.

4 Thank you very much.

5 COMMISSIONER HALL: Next speaker, Michael  
6 Downs followed by Roman Bitsuie.

7 Roman? Roman? Roman?

8 Mr. Downs then Mr. Bitsuie.

9 MR. DOWNS: Thank you.

10 I'm just a citizen, live in the Town of  
11 Eagar. I also am the director of Little Colorado  
12 Behavioral Health Centers in St. Johns and  
13 Springerville, Arizona.

14 As a resident of Southern Apache County, I  
15 just want to commend you on your work, on the way you  
16 designed District E. I'm in very strong support of  
17 that.

18 I also want to say to my Native American  
19 brothers and sisters here, just as an individual  
20 citizen, I'm honored to share a Legislative District  
21 with our White Mountain and San Carlos Apache brothers  
22 and sisters and a Congressional District with our Navajo  
23 brothers and sisters maybe, maybe not, our Hopi brothers  
24 and sisters. If they are in the Congressional District,  
25 I'd be honored to have them in it.

1 COMMISSIONER HALL: Next, Roman Bitsuie.

2 MR. BITSUIE: ROMAN, R O M A N, Bitsuie,  
3 B I T S U I E.

4 Members of the Commission, distinguished  
5 guests in the audience, abroad, watching through the  
6 network.

7 My position within the Navajo Nation is as  
8 the Executive Director of the Navajo Hopi Land Dispute  
9 Commission. As such, I do deal with all that has to do  
10 with conflicts or so-called conflicts between the  
11 Navajo, Hopi, and between Navajo and Paiute. It is  
12 interesting to hear that there is a true, or there is a  
13 dispute between Navajo and Hopi people. The dispute  
14 people talk about generally was created, generally,  
15 because of intermingling of non-Indian into Hopi  
16 education and because there was no land set aside so  
17 that the United States government would evict a  
18 non-Indian. An executive order established for order  
19 out of nonorder. It is because of intervention of the  
20 federal government to outline a boundary to evict the  
21 non-Indian from the education of Hopi children that we  
22 are in the situation that we're in today, that there has  
23 been many lawsuits between the Hopi land. One, the 1982  
24 land relocation dispute had taken place, also a land  
25 dispute called the 1934 Boundary Act.

1                   My job is to oversee these two areas in  
2 terms of the relocation of 12,000 Navajos individuals  
3 relocated to various parts of the -- outside the  
4 reservation as well as on the reservation, as well as  
5 the area that has continued to be under a construction  
6 freeze within the 1934 Boundary Act.

7                   There have been statements to the effect  
8 the Navajo and Hopi people don't get along. In recent  
9 times, agreements have been reached between the Navajo  
10 and Hopi people. There are agreements in place which  
11 allow Navajo families that do not want to relocate from  
12 their lands of ancestry to live, or continue to use  
13 their ancestral land for 75 years. And at the end, or  
14 termination of the 75 years, there is a possibility that  
15 those leases could be extended for another 75 years.

16                   So irregardless of how people describe the  
17 Navajo Hopi land disagreement, there is agreement.

18                   Similar to the 1934 boundary reservation,  
19 there's some litigation. We believe there will be some  
20 closure to those lawsuits in the coming months.

21                   There is a process in place outlined in  
22 the statute that basically provides for an approval  
23 process in terms of whatever construction projects may  
24 take place within those regions still subject to  
25 litigation.

1                   There are some agreements that have been  
2 reached over waterways, water issues, power line, sewer,  
3 repair of windmills, and a new community that is going  
4 to be established within the so-called disputed regions.  
5 Over \$20 million are contemplated in the coming months  
6 that will be spent in those areas still subject to  
7 dispute, and we believe that there should be some  
8 encouraged by the Commission, that there should be more  
9 cooperation between the Hopi Tribe and the Navajo  
10 Nation.

11                   And there should be one Congressional  
12 District that promotes and encourages that these  
13 developments take place.

14                   Under the 75 year lease arrangement that  
15 has been made for families that do not want to relocate  
16 off lands partitioned to the Hopi Tribe through  
17 Congress, there has been home sites identified, and we  
18 have constructed 48 homes on those home sites.

19                   There has been some permits for grazing  
20 purposes, livestock grazing permits issued on an annual  
21 basis, and that will continue to happen.

22                   There are some agricultural sites that  
23 have been identified, and people will continue to farm  
24 those hands. And at the people-to-people level, there  
25 are cooperation, there are inter-marriages that have

1 taken place. My nephew and my niece are half Hopi and  
2 half Navajo.

3 We have people in leadership, people that  
4 have been in my position, that are married, that are  
5 still married to Hopi, and they have half Hopi, half  
6 Navajo children. Our roots goes back, back beyond, you  
7 know, before the statehood. And as such, our people go  
8 far, further back.

9 The plan that we have, some of them come  
10 from the Anasazi. We, the Tsenigijinii, the cliff,  
11 T S E N I G I J I N I I, the cliff dwellers, and other  
12 clans from the Hopi Tribe, the tobacco clan. It is said  
13 there are 16 branches of Tsenigijinii, Red Running Into  
14 the Water Clan; and some from Hopi, red, Dolli, Yelli,  
15 Kachinsi, the corn clan, and there are many others.  
16 They are from the Hopi clan.

17 Many of the residents that have -- are  
18 subject to relocation today, and some not have signed  
19 agreement with the Hopi Tribe, are from the mesas of the  
20 Hopis.

21 So our roots goes back long before the  
22 recent, so-called conflict between the Hopi and Navajo  
23 tribe.

24 Even on the Hopi side, the current Hopi  
25 Chairman has children half Navajo and half Hopi.

1                   So we can talk all we want to in terms of  
2 the conflict that we have, but there needs to be  
3 fairness. There history has to be rewritten to reflect  
4 the way things really what are.

5                   There is cooperation.

6                   Every spring, every March, the Hopi comes  
7 onto Navajo land to collect euclids. There is a permit  
8 required and they must go through the permit process.  
9 In some cases they don't. Our people have to go through  
10 a permit process to conduct religious ceremonies on  
11 lands partitioned to the Hopi Tribe. As such, some of  
12 our people do not abide by some of those things. It  
13 goes both ways.

14                  But, at the grassroot level, when the Hopi  
15 cows wanders onto the Navajo farm site, there are words  
16 are exchanged and there is cooperation. Navajos inform  
17 the owners of those animals and they care for each  
18 others animal in that fashion. In some cases farm  
19 equipment is used owned by the Hopis in exchange for  
20 taking care of their livestock.

21                  So what we want is basically to  
22 reestablish and rekindle that cooperative environment.

23                  There needs to be, you know, it seems to  
24 me that -- you know, people half Navajo and half Hopi  
25 are caught in a situation that are really uncomfortable.

1 And if there's going to be a true representation in --  
2 then you need to look at those mixed blood Hopi Navajo  
3 in terms of coming up with an answer.

4 I realize it's difficult, but you must  
5 also remember that those people that have signed the 75  
6 year lease agreement with the Hopi Tribe do not vote in  
7 the Hopi government. They don't have a say. The  
8 individual that made a comment about Navajo Nation  
9 manifest designee, they don't have a vote. They don't  
10 have a Navajo Census number or Hopi Census number.  
11 Everything is dictated in terms of how they are supposed  
12 to live. It's a one-way street. And unless those  
13 things are talked about, and unless those things are  
14 revealed between people, among people, with the people,  
15 then and only then it will work.

16 Of course, there's posturing at the  
17 government level, and that's going to continue, because  
18 that's politics. But if people needs -- if there's  
19 going to be equal treatment, equal representation,  
20 fairness, then all those things that -- what the  
21 people -- you have to put yourself in -- and the people  
22 that has the 75-year lease agreement with the Hopi  
23 Tribe, people that have to make a request to the Hopi  
24 Tribe for any improvement, put yourself in their  
25 position. If you have to beg for it, if you don't

1 receive what they get, your avenue is in terms of a  
2 court system. Maybe they can build a new home. Maybe  
3 not. But that's where --

4 I appreciate this opportunity to present  
5 from my office in terms of the work I do. If there's  
6 any questions or follow-up, certainly we'll do that.  
7 And I will provide additional information in terms of  
8 the projects we have been working with the Hopi Tribe.

9 COMMISSIONER HALL: Ms. Hauser had a  
10 question, Mr. Bitsuie.

11 MS. HAUSER: You talked a great deal about  
12 intermarriage between Hopi and Navajo. I wonder if you  
13 have any information concerning the level of  
14 intermarriage and where those families tend to live, the  
15 number of Hopi living on the Navajo Reservation, vice  
16 versa. Do you know any statistics on that?

17 MR. BITSUIE: I don't have information.  
18 We can provide that information by Wednesday. I believe  
19 that's your deadline.

20 (Phone rings.)

21 COMMISSIONER HALL: Mr. Bitsuie, we're  
22 attempting to keep remarks to three to five minutes.  
23 That was a telephone call from NDC. We're exceeding the  
24 length any other meeting on this campus. I'm kidding of  
25 course.

1                   There are a number of people still  
2 desiring to speak.

3                   Lee Bigwater followed by Derrick Watchman.

4                   Just a second, Mr. Watchman.

5                   Those members of staff located at remote  
6 locations wherein there are no current residents are  
7 more than welcome to pack their belongings and go to  
8 their hotel room.

9                   A VOICE: Okay.

10                  COMMISSIONER HALL: Looking for an  
11 example.

12                  COMMISSIONER ELDER: Including Amy.

13                  COMMISSIONER HALL: That's Holbrook.

14                  MS. VILLARREAL: Winslow is empty.

15                  COMMISSIONER HALL: Have a nice dinner.

16                  MS. VILLARREAL: Have a wonderful evening  
17 to all.

18                  COMMISSIONER HALL: Thank you.

19                  Sorry. I apologize, Mr. Bigwater.

20                  MR. BIGWATER: Lee Bigwater, L E E,  
21 B I G W A T E R, representing the Navajo Department of  
22 Transportation. I'm the director for the department.

23                  The Navajo Department of Transportation  
24 has been involved in significant joint road activities  
25 with the Hopi Tribe. The working relation has been

1 positive. For example the NDOT in recent months has  
2 assisted the Hopi Tribe Transportation Task Force with  
3 written and development of their road discretionary fund  
4 application for a Hopi road project. Hopi Route 86 is a  
5 continuation of a Navajo Route, Low Mountain to Navajo  
6 Route 264 in Polacca, Arizona. Official of Low Mountain  
7 Window Rock and Chinle Chapters of the Navajo Nation  
8 Road are used for Hopi schools to transport students in  
9 these communities.

10 Another example of NDOT joint road  
11 projects, the Hopi Tribe and Low Mountain NDOT agreed to  
12 conduct environmental assessment and archeologic surveys  
13 as a necessary part of a road project. NDOT agreed to  
14 purchase culverts and Hopi DOT to install the culvert  
15 upgrade. Hopi upgraded the DOT culvert from Low  
16 Mountain School to the Indian's school, Three Mountains  
17 Road, end mile partition lands maintained by the Hopi  
18 BIE Branch of Roads. Even routes under the memorandum  
19 of agreement between the Hopi BIE Branch of Roads are  
20 maintained by the Navajo BIE Navajo partitioned land.  
21 Route N41, N65, N8064, N8027, N8031, N8062, N8060.

22 There are 18 Navajo routes adjacent to  
23 lakes.

24 COMMISSIONER HALL: Mr. Bigwater, excuse  
25 me one second. I apologize.

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1                   COMMISSIONER HALL: Whoever is rolling up  
2 maps, leave them. We'll print up others. If you leave  
3 the room, do it in a quiet fashion. Someone is  
4 shuffling, rolling up maps.

5                   Not you, Mr. MacDonald. You are doing  
6 good.

7                   I ask you just to sneak out to Denny's, or  
8 something.

9                   Thank you.

10                  Mr. Bigwater, I apologize.

11                  MR. ECHEVESTE: They can moot those.

12                  MR. BIGWATER: Adjacent to, adjacent to  
13 Hopi, Navajo Route N4, N6 daily -- the average daily  
14 count, 690, N41, N60, N61, N67, with average daily  
15 traffic count of 167, 159, N5250, N5240, N5720, average  
16 daily traffic count is 149. N8027, N8031, average daily  
17 count is 405. N8060, N8062, N9000, N9062, N9101,  
18 average daily count is 746. N9102, N9103, average daily  
19 count of 26. These routes are used by Navajo college  
20 students to attend Northern Pioneer College at Polacca,  
21 Arizona, by local people, surrounding people, and to go  
22 the Hopi Trading Posts, United States Post Office sites,  
23 and for other economic and asocial purposes. These are  
24 communities of interest.

25                  The Navajo Nation is looking forward to

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1 partnering and continuing partnering with the Hopi  
2 Tribe. The Hopi Tribe continues the transportation  
3 community in an environmentally sensitive area so both  
4 the Navajo and Hopi people can travel safely.

5 COMMISSIONER HALL: Thank you,  
6 Mr. Bigwater.

7 Next speaker IS Derrick Watchman then  
8 Representative Jake Flake.

9 MR. WATCHMAN: Thank you, Members of the  
10 Commission, Navajo Chairman Mr. MacDonald. I'm chief of  
11 staff, Derrick, D E R R I C K, W A T C H M A N. I'm  
12 Chief of Staff for the Navajo Office of the President,  
13 represent President Kelsey Begaye and Vice President  
14 Taylor McKenzie.

15 I want to say on behalf of the President  
16 and Vice President, I appreciate you listening to our  
17 request and postponing the meeting on Tuesday. It was a  
18 tragic day, not the best thing to have a meeting that  
19 day.

20 On behalf of the Navajo people, the  
21 President and Vice President express their condolences  
22 to the people of the East Coast and it's certainly  
23 something we're all thinking about today.

24 In addition to that, you've heard from  
25 many staff of Navajo Nation about the commonalities that

1 we have with the Hopi Nation. And the only exception  
2 you've heard so far is on the issue of land, a  
3 long-standing land dispute. What we're looking at today  
4 and for the next 10 years is how do we work together  
5 with the Hopi Nation? How do we work together with the  
6 other tribes?

7                   Right now, at this point, we do not  
8 support the Congressional District and Legislative  
9 District as proposed right now. I'd refer you back to  
10 our proposal of June 25th. I think you'll hear that  
11 again from many of the Navajo representatives. The  
12 principal reason that we don't support the two proposals  
13 right now is that it doesn't encompass all the tribes  
14 we'd like to see. We'd like to certainly see a Native  
15 American presence. We believe that it's needed. It's  
16 needed because we have a lot of federal issues and  
17 Legislative issues we need to preserve, as you heard  
18 earlier. There's a lot of dollars that come from the  
19 federal government and state government, and it's not  
20 distinguished between Hopi and Navajo, per se, it's  
21 actually provided to Native Americans, health dollars,  
22 education dollars, road dollars, which we have to  
23 preserve.

24                   I want to speak briefly about water  
25 issues. Up in Northern Arizona, there are a lot of

1 issues about water, where to get water, the Colorado  
2 River, Upper Colorado River Basin, Lower Colorado River  
3 Basin, the Colorado River, and Hopi end aquifer, a major  
4 water reservoir that is slowly being depleted. And  
5 water used from that is actually being used to slurry  
6 coal from Black Mesa to a power plant down in southern  
7 Nevada.

8                   On August 15th, which I'm handing out, the  
9 Navajo Nation, Hopi Tribe, and energy companies actually  
10 said publicly that we're going to work together. The  
11 parties, including us, we've been talking about how do  
12 we address this issue together. And I think that by  
13 combining our forces, combining our resources, we are  
14 table to work on these issues. I think that is the  
15 beginning of how we're going to work together.

16                   All the issues we've been talk about have  
17 been over the last, talking about the last hundred  
18 years, 200 years, talking about redistricting, the  
19 Legislative District, Congressional District, how to  
20 work together over the next 10 years, hundred years, 10  
21 years after that.

22                   The water issue is precious. There is  
23 precious need there to live, for livestock and planting.  
24 What better way than to join forces so we actually look  
25 at the water supplies, water resources up in the

1 northern area portion. That not only affects the Hopi,  
2 Navajo, cities down to Flagstaff, Holbrook, and Payson,  
3 St. Johns, and Kingman. We have to work together.

4           But to speak about our relationship with  
5 Hopi, we sat down and said we need to work with this.

6           In addition to this, the Hopi Chairman and  
7 Navajo President, since the Navajo President came into  
8 office, have been meeting almost monthly to talk about  
9 these issues, how do we work together. Because if we  
10 don't, we certainly won't get the benefits from the  
11 federal government and the state government, which is  
12 what we need. There is a division, a number of cases,  
13 as to how dollars are allocated to states and counties  
14 and then Indian country.

15           What we're trying to do and trying to  
16 express to you as a Commission, we're trying to  
17 challenge you to look at, look at the proposal the  
18 Navajo Nation presented to you on June 25th, look at and  
19 see what is the community of interest. We believe the  
20 community of interest includes the Hopi Nation,  
21 includes, from a Navajo standpoint, the eastern  
22 counties. All have interests that are rural in nature,  
23 the Northern Arizona portion.

24           With that, I want to challenge the  
25 Commission to again look at the June 25th proposal.

1 Additional variations have been presented, posted  
2 September 15th. Some proposals are actually very  
3 consistent with what the Navajo presented.

4 With that, I want to thank you. I have  
5 presented to you a copy of the press release I think is  
6 very interesting.

7 So thank you.

8 COMMISSIONER HALL: Thank you,  
9 Mr. Watchman.

10 Did you have a question?

11 COMMISSIONER ELDER: No.

12 COMMISSIONER HALL: Okay. Thank you.

13 The next speaker, Representative Jack  
14 Flake who will be followed by Ervin M. Keeswood.

15 REPRESENTATIVE FLAKE: Thanks for this  
16 opportunity to address the Commission.

17 My name is Jack Flake, J A C K E.

18 F L A K E.

19 I wanted to make three points: As a  
20 Legislature, before Proposition 106 became law, and even  
21 being proposed, it wasn't looking forward to strong  
22 redistricting, even though preparing for it. I wanted  
23 to be a part of it and wanted to be ready when that came  
24 and even attended a national convention in the Carolinas  
25 on redistricting along with some other legislators.

1                   The public took that out of the  
2     Legislature, and I'm not saying I feel bad that it  
3     happened. It's interesting, though, that that was one  
4     of the purposes was to take politics out of the  
5     redistricting. I don't think that really happened. But  
6     I do want to take my hat off to the Redistricting  
7     Commission. I think you've done a mammoth, masterful  
8     job. I'd like to commend you, the two here and three  
9     not here. I don't think you could -- I don't think the  
10    Legislature could have done the job you have done, I  
11    want to just say that, mainly because there would have  
12    been 90 of us fighting over which district we got to  
13    keep.

14                   My biggest concern, as I mentioned in  
15    Hon-Dah when the first round of meetings were held, was  
16    representation for rural Arizona. When I came into the  
17    Legislature a little over five years ago, Maricopa  
18    County was a little over 56 percent of the state. Even  
19    though all parts of the state have grown, we haven't  
20    grown at the pace Maricopa County has. It's now  
21    approaching 60 percent of the state, therefore, they get  
22    60 percent of the representation. Pima County, 16 and  
23    18 percent of the state. I always felt like we had the  
24    two urban centers of the state and then 13 counties that  
25    had a little, just a little over 20 percent of the

1 population yet the big area of the state, all of greater  
2 Arizona.

3                   We had an ad hoc committee meeting on  
4 Arizona business climate in Tucson a couple weeks ago.  
5 I found out that they are, just about the rest of the 13  
6 counties, they are concerned about the same things we're  
7 concerned about. And so I am concerned, my big concern  
8 was and is, that the 40 percent of the population, the  
9 14 counties in the rest of the state, get proper  
10 representation.

11                   I feel like your plan, the things you put  
12 on the board for a Congressional District and  
13 Legislative District, pretty well does that. I know  
14 there will need to be some tweaking and some things done  
15 to it, and I know there will be some suggestions. A lot  
16 of people aren't happy, and nobody will be totally  
17 happy. The only way they can be, the only way you can  
18 be successful, I've worked enough in legislation, if  
19 everybody is happy, something is wrong. Everybody has  
20 to be a little bit hungry in order to make things right.  
21 I really support your efforts.

22                   The last point I make, want to make, is  
23 the House of Representatives. I, at least, I think the  
24 entire Legislature, has worked hard to give more  
25 representation and more attention to Native Americans.

1 For the first time ever in this session of the  
2 Legislature, a Native American committee has been  
3 appointed as a standing committee, one of the standing  
4 committees. I'm happy to be co-chairman of that  
5 committee, along with Sylvia Laughter, a full-blood  
6 Navajo who represents the Navajo Nation.

7 We're committed to finding what is the  
8 responsibilities of counties, what is the  
9 responsibilities of the state, what is the  
10 responsibilities of the federal government to the Native  
11 Americans.

12 But there is 21 Native American tribes in  
13 the State of Arizona. All of them deserve  
14 representation. I don't know how we can bunch them up  
15 where we can give them total representation. If you do,  
16 if you could put them all together into one or two  
17 Legislative Districts and one Congressional District,  
18 I'm afraid you would have less representation than you  
19 would have today.

20 I think it's good that you are spread out  
21 around the state and have different legislators looking  
22 out for your interests and different Congressmen looking  
23 out for your interests.

24 I think you need to be careful with too  
25 much bunching of Native Americans into total Legislative

1 or Congressional Districts.

2                   We worked hard to give proper  
3 representation. I've been on most of the reservations  
4 of the 21 tribes. I've been in Chairman Kelsey Begaye's  
5 office in the last two years even though I don't  
6 represent that district. Yesterday we were to be in, a  
7 delegation of Representatives, was to be in -- on the  
8 Hopi lands, in Wayne Taylor's office, and their offices,  
9 and that was, of course, postponed because of the  
10 serious consequences of the problems in the East.

11                   I represent, in my district, three Apache  
12 tribes, the San Carlos Apaches, White Mountain Apaches,  
13 and Tonto Apaches. I have a great rapport with each of  
14 those Chairmen, with each of those councils, and I'm  
15 happy to be their representative.

16                   And what I'm trying to say is you are  
17 getting good representation from the State of Arizona.  
18 You are getting good representation, I think, in  
19 Congress. I think this is the way it should be. I  
20 think that we need as much representation as can  
21 possibly be brought out. I think our Commissioners,  
22 Redistricting Commissioners, are doing this for rural  
23 Arizona and the Native Americans in the different 21  
24 tribes.

25                   Thank you for the opportunity to be able

1 to address you.

2 COMMISSIONER HALL: Thank you,  
3 Representative Flake.

4 Ms. Hauser, do you have a question?

5 Ms. Hauser.

6 MS. HAUSER: Representative Flake, we've  
7 gotten, as we traveled around the state, a lot of  
8 criticism for draft District C's size as the district is  
9 stretching from the easter to western part of the state  
10 as a district impossible to campaign in effectively. Do  
11 you have any thoughts on that?

12 REPRESENTATIVE FLAKE: Yes, I do. It  
13 would be and will be. I represent a Legislative  
14 District about -- somewhere between a quarter and third  
15 of the State of Arizona, and the people in metropolitan  
16 Maricopa County don't understand. In fact, I talked to  
17 one whose district contains about 10 square miles. I  
18 figured out mine is about 200 -- no -- yeah, about 200  
19 square miles, in my district. And I represent 18 of the  
20 incorporated towns. Most Maricopa legislators have a  
21 part of one incorporated town or city. I represent some  
22 35 school districts. So I know a little bit about what  
23 it will be. But then I do know this person who's going  
24 to campaign in this Mammoth proposed Congressional  
25 District will have a lot more help than I've had, too.

1 They will have to have to be able to do it.

2 Yes, it will be a challenge, tremendous  
3 challenge, but I think it's worth it.

4 MS. HAUSER: Thank you.

5 COMMISSIONER HALL: Thank you,  
6 Representative Flake.

7 Our next speaker is Ervin M. Keeswood  
8 followed by Leonard Gorman.

9 Mr. Keeswood.

10 MR. KEESWOOD: Thank you, Commissioner  
11 Hall. Let me first introduce myself, Ervin Keeswood.  
12 M. K E E S W O O D. E R V I N is the first name.

13 Honorable Commissioners, leaders,  
14 communities, counties, and of course our own Speaker of  
15 the House, and our own Chairman McDonald in our audience  
16 today. Good afternoon.

17 First of all, from the Navajo Nation, let  
18 me express my appreciation to the Honorable Commissioner  
19 Hall, Commissioner Elder, and other Commissioners for  
20 also working very hard. I extend my appreciation. It  
21 was raised one time, this became thankless at one point,  
22 a rough trail, road. Today you hear a lot of good  
23 comments and appreciate that.

24 That's the position the Navajo took the  
25 first time you came to the Navajo Nation. We extended

1 appreciation for all the hard work you had done and  
2 again do so today.

3                   Members of the Commission, it's certainly  
4 again an opportune time for the Navajo Nation to state  
5 their position. The Navajo Nation is here today to  
6 remind the Commission it has certain proposals it still  
7 supports today. And also the Navajo Nation is here to  
8 reiterate some of the issues you've heard today to be  
9 very clear that the community of interest issue is very  
10 real, important, to this Commission. And as Proposition  
11 106 indicates, the constituents of the State of Arizona  
12 amended this particular section of law that mandates  
13 development of Congressional and Legislative Districts  
14 to meet various requirements. And such is the fact  
15 today this Commission must realize and remember it must  
16 comply with the United States Constitution and Voting  
17 Rights Act and, thus, in many of the former  
18 presentations made by my brothers and sisters of the  
19 Hopi Tribe who have entertained the thought the Navajo  
20 people and Hopi people do not get along.

21                   Per the memoranda sent to the Commission  
22 July 16th, as I remember, the Hopi representatives  
23 indicated to the Commission they wanted to respond to  
24 the June 25th document, the proposal the Navajo Nation  
25 still supports. They wanted to respond to this. In

1 their claim, they claimed we were creating Legislative  
2 and Congressional Districts that were inclusive of the  
3 Hopi Tribe, that the Navajo Nation would severely dilute  
4 the vote of the Hopi people, and that would constitute  
5 retrogression.

6                   You've heard numerous arguments from the  
7 people of the Hopi Nation, the Hopi Tribe. All the  
8 arguments have surrounded around the conflict that is  
9 described again today, the Navajo Hopi issue.

10                   Arguments and presentation never  
11 surrounded on true issues. Navajo and Hopis, as you've  
12 heard, get along in many instances. On the day when the  
13 Hopi Nation described many of the problems they thought  
14 were very prevalent, Hopi, since then, has yet to  
15 demonstrate its numbers would be sufficient in a single  
16 District to be likely to fill in a single member in a  
17 district and that they would be likely to be cohesive  
18 and effective as a body or able to elect their own  
19 elected representative.

20                   The Hopi also need elect a majority on  
21 voting age turnout. Per the 2000 Census count that you  
22 are all aware of and were aware of, according to that  
23 document, it indicates that the Hopis have a population  
24 of 6,946 people. And assuming that all of those people  
25 voted, the number still would not constitute a majority

1 and thus would not give the power to the Hopi Nation to  
2 elect a candidate of their choice.

3 As you've heard earlier from  
4 representatives from various counties that were here,  
5 and also as you will here today, we have Legislators in  
6 the Arizona House and Senate that do a tremendous amount  
7 of work for the Hopi and Navajo people.

8 The Navajo people, 19th Council, I would  
9 like for the record, during term of the 19th Council  
10 voted unanimously to create a treaty, an agreement  
11 between the Paiutes, Navajo, Hopi, and San Juan Paiute  
12 to live peacefully.

13 The Navajo live peacefully with the  
14 Paiutes. The Paiutes live peacefully. They were a  
15 nation with no land. What the Navajos did, they created  
16 a land base for the folks, the Paiute.

17 We want to show the Commission, the Navajo  
18 people are ready, able to work with any nation around us  
19 to promote our ability to be heard in both the  
20 Congressional and Legislative Districts.

21 All issues described by the Navajo  
22 presenters today show the willingness of the Navajo  
23 people to work with other tribes.

24 It is very interesting, as I heard today,  
25 the Navajo Nation and Hopi Tribe, as all of you may be

1 wondering about, at some point, it was indicated we  
2 couldn't work together. Very interestingly, the  
3 presenters basically came together and told all of us,  
4 the Navajo and Hopi used the same education system,  
5 preschools to college facilities, businesses, grocery  
6 stores. The Hopi people have to go to Tuba City to  
7 shop. There's common interest there. Have to go there  
8 for fuel, gas stations, medical facilities, churches.

9                   The Navajo Nation has a legal program, DNA  
10 Legal Services. The Hopi people are also served there.

11                   The majority of everything I'm describing  
12 there is in Tuba City, within the city limits of Tuba  
13 City.

14                   Also, the Tuba City post office serves  
15 both Hopis and Navajos.

16                   Last year, 2,112 visits had taken place by  
17 the Navajo Nation fire rescue who had gone on to  
18 Moenkopi to help their brothers and sisters. There is  
19 commonalty. There is a tremendous amount of respect  
20 among the people.

21                   As we see it, the delegation is on behalf  
22 of the people here today. When you go to Tuba City,  
23 "Welcome to Navajo land." Same sign says "Welcome to  
24 Hopi land." If that's not commonalty, I don't know what  
25 is.

1                   Also in Tuba City, it's an area of farm  
2 land. And nobody has spoken of farm issues in regards  
3 to this area. There's a community in Tuba City called  
4 the Early Valley Moenkopi wash. There is an irrigation  
5 system used by the Navajo and Hopis.

6                   There's a tremendous amount of commonalty  
7 when we come to the fact of survival for both nations.  
8 And when that happens, the farmers in that community  
9 come together to clean those ditches, to make sure, like  
10 every other community of farmers come together, because  
11 basically the issue is survival for all people, the  
12 common good. This is also practiced in this particular  
13 community.

14                   A couple issues raised, certainly  
15 interesting, as I listened today. One presenter spoke  
16 from Polacca that the Navajo people have nothing in  
17 common with the Hopi people. He referred to the Sun  
18 Dance, intrusion on Hopi land. As I recollect, I've  
19 been there numerous times, one of the traditionalists no  
20 longer with us, passed on probably five years ago,  
21 Thomas Banyaca, a traditionalist, went around the  
22 country and world talking Hopi philosophy. This  
23 individual would come talk to friends, relatives there,  
24 and also participate in that particular event. And  
25 also, furthermore, other Hopi people participated in the

1 Sun Dance. And to take that a little further, to show  
2 the commonalities, when it comes to non-Navajo, non-Hopi  
3 events, nonceremonial events, pow-wows from both  
4 communities, both the Navajos and Hopis, participate.  
5 Both have groups participate, Sun Shield, other groups,  
6 Little Bear. I know the groups personally. There's a  
7 tremendous amount of respect in these communities.

8                   Members of the Commission, the Navajo  
9 Nation provided you our proposal June 25th. We stand on  
10 that proposal once again today.

11                   Congressional District comprises 23  
12 percent Native American population, and the Legislative  
13 District comprises 78 percent Native American  
14 population. Please do not be misled when people say  
15 that this may be a tremendous amount of concentration of  
16 Native Americans in done one district. You have to  
17 understand that the voting population in Native American  
18 districts, such as Navajo and Hopi, 50 percent are under  
19 18 years of age, so they can't even participate in the  
20 voting process. Less than 50 percent of that 50 percent  
21 even participate in the electoral process. Thus it  
22 certainly presents a problem for Native Americans in  
23 rural Arizona.

24                   How do we maximize the voting process of  
25 our brothers and sisters? We could have said what is

1 best for Navajo. The Navajo Nation has taken upon  
2 ourselves to talk to all our brothers and sisters in  
3 Indian country, the State of Arizona, and found  
4 commonalities. We've always known commonalities  
5 existed.

6                   The Hopi Tribe within the districts,  
7 Legislative and Congressional Districts, would maximize  
8 the Indian voting strength, respect the community of  
9 interest, and be geographically compact. Any attempt to  
10 separate the Navajo Nation and Hopi Tribe into two  
11 separate districts would result in gerrymandered  
12 districts that ignore communities of interest among  
13 members of the Navajo Nation, Hopi Tribe, and diminish  
14 the ability of Indians to participate in Arizona  
15 elections.

16                   I'd like to conclude that an interesting  
17 issue came up today. I listened to certain as the  
18 individuals spoke. A person spoke that separating  
19 Navajos and Hopis could result in an issue that happens  
20 like foreign countries in the Middle East, these two  
21 people literally come fight, literally, and hurt each  
22 other. The reverse is also true. If this body, this  
23 Commission, with respect to how it's created through the  
24 United States governmental system, comes down through  
25 the United States of Arizona amending Proposition 106,

1 you are arm of the federal government, thus anything  
2 along those lines, if in fact this body proceeds to  
3 separate the Navajo and Hopi people, there will never be  
4 a chance for the Navajo and Hopi people to come together  
5 and to be one community.

6 We feel that we are one community, but  
7 based on various federal laws it shows we are not. And  
8 people tend to argue that.

9 I would hate to see this body here, the  
10 Honorable Commission and staff, to become a party in the  
11 future of this particular Navajo-Hopi issue. I would  
12 hate for this body to show the rest of the world that,  
13 in fact, the Navajo and Hopi should be separate. And if  
14 such is the case, Navajo and Hopis is separate, if they  
15 are ever coming to that, certainly then there's a  
16 possibility of a situation that arises such as that  
17 between Israel and Jordan. And by saying that, I  
18 believe that if this body I'm presenting to today  
19 continues in a fashion to separate these and not allow  
20 for healing to proceed, there's a possibility in the  
21 future to be a party to Zionism in the United States on  
22 the Hopi, Navajo Nation.

23 I conclude my presentation to everyone  
24 here, appreciate the time allotted to the Navajo Nation,  
25 and we welcome each and every one of you here to come to

1 Navajo any time, welcome the Hopi Nation to come to us.  
2 We have many in-laws in Hopis, and vice versa. We  
3 should always move forward as a people.

4 Thank you very much.

5 COMMISSIONER HALL: Thank you,  
6 Mr. Keeswood.

7 COMMISSIONER HALL: Next speaker is  
8 Leonard Gorman followed by Frank Seanez.

9 (Whereupon, a five-minute recess was  
10 taken.)

11 COMMISSIONER ELDER: Let's start going.

12 COMMISSIONER HALL: For the remaining  
13 speakers, if anyone else would like to speak, we're  
14 sorry. (Laughter) if anyone else has been unable to  
15 give me a speaker slip, we'll consider it. (Laughter)

16 Mr. Gorman, my humblest apologies.

17 COMMISSIONER ELDER: Almost got rid of  
18 him. Darn. (Laughter)

19 COMMISSIONER HALL: Our stenographer is  
20 grateful of the consideration. Therefore, we'll give  
21 you four minutes.

22 MR. GORMAN: Good afternoon, Commissioner  
23 Elder, Commissioner Hall. I'm Leonard Gorman,  
24 L E O N A R D, G O R M A N.

25 Good afternoon, Chairman McDonald, at

1 Kayenta.

2 I'd like to address the former speakers,  
3 Tenney and Flake, having spoken about Native Americans  
4 and their interests, it hasn't involved Native American  
5 issues. They are well-respected and well-appreciated  
6 for their efforts, not only at the county level, but  
7 also the state level.

8 The other item I wanted to mention is  
9 that, at least in my view as a member of the Navajo  
10 Nation, citizen of the State of Arizona, and also  
11 citizen of the United States, I felt like your views  
12 about the relationship between the Navajo people and  
13 Hopi people, we started off with a wall, a wall that is  
14 constructed much like the wall in China, the Berlin  
15 Wall. And I think, in my mind, that's where you started  
16 off, with a wall around the Hopi Reservation.

17 What I hope the Navajo representatives  
18 illustrated to you, there is no such wall. There is  
19 life between the Navajo people and Hopi people. There  
20 is tremendous amount of cooperation, coordination  
21 happening out there. I hope we have shown to you this  
22 evening the tremendous amount of activities going on  
23 between both tribes and that we are making every effort  
24 to address the commonalities, communities throughout  
25 this northern region of the State of Arizona.

1                   One other proposal the Navajo Nation has  
2 submitted, to remind you of the Navajo Nation's position  
3 expressed earlier, the June 25th presentation that we  
4 have made, as has been illustrated, we still stand on.  
5 I'm noticing your attorney's screen, you still have the  
6 Navajo Nation's proposal in your computer system.

7                   I believe you are well aware of the  
8 numbers associated with this plan.

9                   The other information I wanted to share  
10 with you this evening is the recommendations that have  
11 been made by various tribes that we have proposed that  
12 are in this Congressional and also the Legislative  
13 Districts.

14                  I know that you face a decision in regards  
15 to the Legislative plan in which you've heard a couple  
16 of days ago citizens of the City of Kingman and New  
17 Kingman, their desires to be left out of the Northern  
18 District. I know you face the position of having to  
19 find an additional 35,000 plus numbers to fill that gap.  
20 You've also heard the positions of the people at  
21 Flagstaff a couple of days ago.

22                  As I understand, some of the members of  
23 the City of Flagstaff want to be a part of the Northern  
24 District. Some of them don't want to be a part of the  
25 Northern District. It seems clearly stated whichever

1 district the City of Flagstaff will be located in, it  
2 has to be as a whole, whole unit. The city has to be  
3 moved into whichever district it is going to be located  
4 in. When you look at the numbers, the City of Flagstaff  
5 is about 52,000 people within that Census place. 52,000  
6 is far larger than the 34,000 plus people that would be  
7 taken out of the Northern District which come from  
8 Kingman. So we have a deficit there. So obviously you  
9 cannot put the entire City of Flagstaff in the Northern  
10 District. Okay? Should you decide to do that, I think  
11 one of your ways of doing it is to start chopping up the  
12 Navajo Nation.

13 I really commend the Commissioners for  
14 maintaining all Indian Nations as a whole, you have not  
15 broken them up.

16 So you have a dilemma that faces you with  
17 the recommendation coming from New Kingman.

18 I'd also like to be happy as well as the  
19 Mayors coming to you saying they express great  
20 appreciation, gratitude to you, having their point is  
21 that you have listened to them. I also like to feel the  
22 same way, that you have listened to my recommendation,  
23 the Navajo Nation's recommendation.

24 So the resolution distributed to you is  
25 the Navajo Nation's position.

1                   At the August 30th hearing, we were also  
2 present. White Mountain Apache was present at that  
3 meeting. And Chairman Massey specifically made a  
4 statement to you, and it is of record, the record  
5 recorded by Atwood Reporting Services on page 67, and it  
6 starts off at line five. It reads, and the statement is  
7 made by Chairman Massey, Chairman White Mountain Apache  
8 Tribe. "We also agree with the Navajo Nation, their  
9 proposal about keeping Indian tribes together, the San  
10 Carlos, White Mountain Apache Tribe in Legislative  
11 Districts."

12                   So it's very clear, a clear statement by  
13 Chairman Massey, that he wants to be a part of the  
14 Navajo proposal, the Legislative District.

15                   So when you look at the resolution I  
16 distributed to you labeled "Legislative," it picks up  
17 the White Mountain Apache tribe.

18                   The second document I want to share with  
19 you is a resolution by the San Carlos Apache Tribe.

20                   On September 11th, 2001, the San Carlos  
21 Apache Tribal Council passed a resolution, that  
22 resolution is being distributed to you. It reads, in  
23 the resolve section, the first resolve paragraph,  
24 "Resolved, that the Tribal Council hereby supports the  
25 Navajo Nation's proposal for the Congressional District,

1 attached as Exhibit A, and recommends that the Arizona  
2 Independent Redistricting Commission adopt the same as  
3 the Northern Arizona rural Congressional District."

4           The second resolve clause states that "The  
5 Tribal Council hereby supports the Navajo Nation's  
6 proposal for the Legislative District, attached as  
7 Exhibit B, and recommends that the Arizona Independent  
8 Redistricting Commission adopt the same as the  
9 northeastern and the east central Arizona Legislative  
10 District."

11           So we do have documentations and specific  
12 statements made by tribal leaders in support of a  
13 particular plan.

14           And I respectfully request the indulgence  
15 of the Commission to adopt, as requested by the San  
16 Carlos Apache Tribal Council, the Nation's proposals.

17           And I respect the comment made by  
18 Representative Flake and also Tenney, Commissioner  
19 Tenney, or Supervisor Tenney.

20           These are the requests of the tribal  
21 leaders that support the Navajo Nation.

22           Thank you.

23           COMMISSIONER HALL: Thank you, Mr. Gorman.

24           Next speaker, Mr. Seanez, followed by  
25 David Brown. And the last speaker I have is Donald

1 Hancock.

2 MR. SEANEZ: Good evening, Commissioner

3 Elder --

4 COMMISSIONER ELDER: That's enough

5 (laughter).

6 MR. SEANEZ: -- Commissioner Hall, Speaker

7 Begay, and Vice Chairman of the IGR Subcommittee,

8 Mr. Keeswood, and staff, and former Chairman

9 Mr. MacDonald.

10 I come before you now to speak relative to

11 Legislative District Number Three's support for Hopi

12 Bills in the legislature.

13 The Commission heard in the second round

14 on August 30th, 2001, and in Flagstaff on September 6,

15 2001, claims the Legislative District Number Three State

16 Representatives have a history of not supporting Hopi

17 issues. The Navajo Nation is concerned about the issues

18 and the effect it might have on Commissioners as they

19 consider changes in the Congressional District maps and

20 Legislative maps. Since the claims were unsupported by

21 any documentation at both Phoenix and Flagstaff, the

22 Navajo Nation wanted to perform research as to any basis

23 for these allegations. The Navajo Nation would

24 certainly not want to the Commission to make its

25 decision on bald, unsupported allegations.

1                   Following research of the matter, we are  
2 pleased to report to the Commission the State  
3 Representatives and Senators elected from Legislative  
4 District Three consistently provided support for Hopi  
5 bills in the State Legislature, and State Senators from  
6 Navajo for the past for State Legislatures, 42nd through  
7 44th. Honorable Jack Jackson, James Henderson, State  
8 Legislative Representatives for the past for State  
9 Legislatures, with the exception of Tom Gordon,  
10 non-Indian, Representatives Honorable Sylvia Laughter,  
11 Albert Tom, Jack Jackson, and Benjamin Hanley. The  
12 support of these Legislative Districts, State  
13 Representatives and State Senators, has been shown  
14 through their votes on a committee level and vote of the  
15 full state representatives and full state Senate  
16 sponsorship in the State Legislature, first  
17 Representative Laughter introduced State Legislature  
18 which addressed Hopi issues, '94 Bill 14-06,  
19 co-sponsored by Albert Tom, addressed Hopi Social  
20 Service Issues, Crucial Area Temporary Assistance Needy  
21 Families TANF Program, Child Support Enforcement, SB  
22 40-06, appropriated sums of \$212,000 and \$398,000 from  
23 the State General Fund to start up an operational office  
24 Hopi office, and TANF. Respectfully, Jack Jackson voted  
25 in favor when it came before them March 5th. It did not

1 make it before the House of Representatives Committee.  
2 Assignments were not occasioned by any action or  
3 inaction our state representatives.

4 Hopi Social Services TANF Child Support  
5 were addressed in an alternative bill, HB 22-08.  
6 Section 7 C 22-08 appropriated those sums, \$212,000 and  
7 \$398,000 from the State General Fund for those start-up  
8 operational costs of the Hopi Office of Child Support  
9 and for TANF.

10 The bill was assigned to the Public  
11 Institutions and Rural Affairs Committee on January 11th  
12 and received consideration by that committee on February  
13 13th, at which time it received a "do pass"  
14 recommendation. One of the "aye" votes cast was by the  
15 Honorable Sylvia Laughter.

16 When HB 22-08 went for its third reading  
17 before the House of Representatives on March 13th, it  
18 received another "aye" vote from the Honorable Albert  
19 Tom, Honorable Sylvia Laughter not voting. Likewise,  
20 the bill went to final reading on April 3rd of this  
21 year. It received another "aye" vote by the Honorable  
22 Albert Tom.

23 In the State Senate, HB 22-08 was assigned  
24 to the government committee where it was considered on  
25 March 26. In that committee it received a "do pass"

1 recommendation with one of the "aye" votes cast by the  
2 Honorable Jack Jackson. When that bill came before the  
3 full State Senate on the 27th of April, the Honorable  
4 Jack Jackson again supported it.

5                   While Governor Hall ultimately vetoed SB  
6 13-90, the Legislature appropriated the Hopi Tribe  
7 \$390,000. The rationale being to start up the TANF  
8 office with strong support Legislative District Three  
9 Representatives and Senators.

10                   When it went for its third reading before  
11 the House of Representatives on April 24th, it received  
12 "aye" votes from both the Honorable Sylvia Laughter and  
13 Honorable Tom, with the final reading showing aye votes  
14 from both Representatives.

15                   You could say the Senate on May 2nd, at  
16 its final reading, with an "aye" vote passed by Jack  
17 Jackson overrode the motion and it came before the  
18 Senate May 10th of this year. The Honorable Jack  
19 Jackson again cast an "aye" vote.

20                   Senate Bill 9-90 introduced by Jack Tom,  
21 House of Representatives. Jack Jackson, Sylvia  
22 Laughter, Albert Tom introduced House Bill 25-33, a bill  
23 which would have appropriated \$779,590 for planning,  
24 design, and development of senior citizen centers for  
25 the Hopi communities of Cykotsmovi, Kotevilla --

1 THE REPORTER: Whoa.

2 MR. SEANEZ: C Y K O T S M O V I,  
3 Kotevilla, K O T E V I L L A, and First Mesa.

4 HB 25-33 would have further appropriated  
5 \$35,000 of State General Funds, 20-02 and 20-03, 20-04,  
6 Construction in the Villages of Twewa and Vacva,  
7 T W E W A and V A C V A.

8 The Honorable Albert Tom and Sylvia  
9 Laughter's cast "aye" votes when that bill received a  
10 "do pass" recommendation from the House of  
11 Representatives, Native American affairs committee.

12 Following amendment by the House  
13 Appropriation Affairs Committee, it increased funding to  
14 \$1.5 million for both Navajo and Hopi senior citizen  
15 centers. Both the Honorable Sylvia Laughter, Honorable  
16 Tom, cast "aye" votes when bill came before the House  
17 for a third reading. The bill did not come through the  
18 Senate committee assignments. However this was not  
19 occasioned by any action on the part of State Senator  
20 Jack Jackson.

21 An alternate bill, however, Senate Bill HB  
22 24-35, did alternately, receive positive consideration  
23 the State Senator. 20-85, 700,000, 2001 to 2002, 2003,  
24 to be combined with matching contributions from the Hopi  
25 Tribe for construction of Hopi senior citizen center.

1 Albert Tom voted "aye" on the bill at the third reading  
2 of the House of Representatives, and the Honorable Jack  
3 Jackson "aye" on the measure at the Senate on the third  
4 reading on April 27th. With House Bill 25-33 bogged  
5 down in state committees, both Honorable Sylvia Laughter  
6 and Honorable Albert Tom voted in favor of HB 20-85 at  
7 the House of Representatives in its final reading.

8 COMMISSIONER HALL: Mr. Seanez, are you  
9 really going to read -- summarize every bill action?

10 MR. SEANEZ: No, Mr. Hall. I felt the  
11 need to point out this matter as it's come before the  
12 Commission.

13 COMMISSIONER HALL: I understand that.

14 MR. SEANEZ: Statements to Legislative  
15 District Representatives.

16 COMMISSIONER HALL: I understand.

17 MR. SEANEZ: I wanted to show it was not  
18 supported, and they cast votes, numerous votes.

19 COMMISSIONER HALL: I understand.

20 MR. SEANEZ: I understand.

21 COMMISSIONER HALL: Your point is  
22 well-taken. I appreciate what you are suggesting. In  
23 light of the fact you have all of that in writing, and  
24 you can rest assured my staff and our consultant and  
25 counsel will analyze it in intimate detail, would it be

1 possible in your opinion, and if you tell me no, I'll --  
2 can you say: Folks, here's another 15 bills. Their  
3 assertion is invalid. Summarize the bills for us, and  
4 submit them to us, or is that an inappropriate request?  
5 I'll defer to you.

6 MR. SEANEZ: I hear you recognize the fact  
7 it's an unsupported allegation. And that the Navajo  
8 Nation can provide you ample information, documented  
9 from State Legislative documents, is sufficient for me.  
10 And the Navajo Nation will submit additional  
11 information.

12 COMMISSIONER HALL: Great. I'm one vote.

13 THE REPORTER: I can write the rest of  
14 your speech into the record.

15 COMMISSIONER HALL: I can direct she  
16 write the rest of your speech into the transcript.

17 Can you summarize in your findings how  
18 many bills, a summary, how many bills you found where  
19 their assertion they made relative to this was  
20 inaccurate, inappropriate or --

21 MR. SEANEZ: Oppositional?

22 COMMISSIONER HALL: Not validated by  
23 research. What was the total tally and time frame.

24 MR. SEANEZ: In the 45th, all eight bills  
25 that specifically mentioned Hopi.

1 COMMISSIONER HALL: 45th being last?

2 MR. SEANEZ: The one we're in now.

3 COMMISSIONER HALL: Okay.

4 MR. SEANEZ: All eight bills introduced  
5 specifically noting the Hopi Tribe, not talking ones  
6 Indian tribes in general.

7 COMMISSIONER HALL: I understand.

8 MR. SEANEZ: All eight were supported by  
9 Legislative District Three Senators and Legislators.  
10 The 44th, there were four. Again all of these bills  
11 received significant support from those Representatives  
12 and Senators. In the 43rd, only two. And both of those  
13 received significant support from the Senators and  
14 Representatives. In the 42nd, only one.

15 The only other point, Commissioners, in  
16 addressing the matter, is one of the allegations made by  
17 folks speaking on behalf of the Hopi Tribe was in order  
18 for the Hopi Tribe to receive fair effective  
19 representation, I believe was the phrase used on a  
20 number of occasions, they had to be in a separate  
21 Congressional District and Legislative District. During  
22 the same period, there were, I can tell you, many more  
23 bills introduced relative to the Navajo Nation and  
24 affecting Navajo Nation interests.

25 The Navajo Nation is not here saying

1 Legislative District Three Representatives and Senators  
2 have not provided fair and effective representation. We  
3 can see by the sheer difference in numbers the Hopi  
4 Tribe would receive at least the same fairness and  
5 effectiveness in representation in a Legislative and  
6 Congressional District including the Navajo Nation as  
7 they currently do with their current representation.

8 Commissioner?

9 COMMISSIONER HALL: Mr. Elder has a  
10 question.

11 COMMISSIONER ELDER: Just so I understand,  
12 House Bill, Senate Bill, whether two people, four  
13 people, when we're looking at, we're looking at this  
14 thing, several of these circumstances, it appeared as  
15 though Jackson consistently supported, that means the  
16 other person didn't, in voting, which would be a  
17 fifty-fifty, and then a couple other instances one  
18 person out of the group was supporting the House Bill,  
19 which seems as though almost a neutral district as to  
20 the Hopi. Is there anything that would lead that to a  
21 false understanding of what you just presented?

22 MR. SEANEZ: What I'm referring to, the  
23 State Senate, of course, there's only one Senator. When  
24 talking about the Jack Jackson bill, he's the only  
25 Senator from that Legislative District Three to support

1 the bill.

2 COMMISSIONER ELDER: Henderson, Sylvia

3 Laughter and Tom --

4 COMMISSIONER HALL: Legislature, the  
5 House.

6 COMMISSIONER ELDER: House, one vote  
7 for --

8 COMMISSIONER HALL: One vote, Dan,  
9 saying when in the Senate.

10 COMMISSIONER ELDER: Okay.

11 MR. SEANEZ: We'll submit the full detail.

12 COMMISSIONER HALL: Please. The more  
13 detail the better.

14 MS. HAUSER: Unrelated to the Legislative,  
15 a couple quick questions. We had a couple questions in  
16 the past concerning the percentage of Native American  
17 population you believe is important to this district.  
18 And you've indicated that that number, the bench mark  
19 currently is at 75 percent. Is that right?

20 MR. SEANEZ: That's right, as stated in  
21 the report provided to National Demographics Corporation  
22 on July 25th to this Commission.

23 DR. ADAMS: Current district.

24 MS. HAUSER: Right. 2000 Census data  
25 infused.

1                   MS. HAUSER: The question then is we've  
2 seen, coming in from some other communities of interest,  
3 similar Voting Rights Act concerns, specifically the  
4 Hispanic community, they had come in with plans  
5 originally that had higher percentages, but they have,  
6 in this past week, come in with a new plan that lowered  
7 the percentages in their districts in exchange for an  
8 attempt to increase competitiveness. And you may be  
9 aware that competitiveness is sort of the current topic  
10 that the Commission is struggling with with respect to  
11 making modifications to the draft map.

12                   Is there any comfort level that the Navajo  
13 Nation would have with respect to a lower percentage  
14 relevant to the bench mark in exchange for  
15 competitiveness, for example? Because we're having to  
16 balance these criteria recognizing, of course, your  
17 comment, and comments of others, lower voter  
18 registration among the Navajo, looking at voting age  
19 population percentage, that it already takes that factor  
20 into account, doesn't take into account turn out, takes  
21 into account voting age population already.

22                   Is there another number you would be  
23 comfortable with to allow us any kind of flexibility  
24 with respect to some of the other criteria?

25                   MR. SEANEZ: Ms. Hauser, Commissioners,

1 the Navajo Nation notes that the Congressional District  
2 C is one of the few competitive districts which is noted  
3 around the state. And the Navajo Nation believes that  
4 that competitiveness would be assisted by the adoption  
5 of the Navajo Nation proposal as stated on June 25th of  
6 this year. The Navajo Nation is very concerned, as has  
7 been stated before, about a decrease of Native American  
8 population from the bench mark figure from 1994 from the  
9 2000 Census data, and the Navajo Nation stands on that,  
10 as has been stated by the Navajo Nation delegation. And  
11 we do not believe, as well, that competitiveness can be  
12 achieved in that Legislative District, additional  
13 competitiveness, by not adopting the Navajo Nation's  
14 proposal.

15 I believe you'll find the Navajo nations  
16 proposal is a competitive proposal when viewed on that  
17 basis noting, again, competitiveness is not to be  
18 considered in the first -- in the initial consideration  
19 and is only to be utilized if it does not have a  
20 negative effect on the other criteria, one other  
21 criteria being possible dilution and retrogression under  
22 Section Two of the Voting Rights Act.

23 Commissioners?

24 COMMISSIONER HALL: Mr. Seanez, numbers  
25 put outright, this goes to the 75 percent number, that

1 is no longer applicable. The gross number has gone,  
2 we've increased the gross number, so the percent goes  
3 down. So that probably out to be mentioned that again,  
4 while the current percentage is based on 150,000 and  
5 change, the new configuration is 171,000.

6                   Having said that, other minority  
7 representatives have come in with their initial  
8 proposals in the low sixties and are now resubmitting in  
9 consideration other variables in the fifties feeling  
10 that's a significant enough majority representation to  
11 address their concerns.

12                   There seems to be a large gap from what  
13 we're hearing from everyone else and what we're hearing  
14 from you. Maybe you can tell me from your perspective  
15 why that is and what the feeling is regarding that.

16                   MR. SEANEZ: Commissioner Hall, I'd say  
17 the Navajo Nation and Native Americans in the state, if  
18 I may go so far, have particularized concerns relative  
19 to voting rights and the history within the State of  
20 Arizona, protection of Native American voting rights.  
21 There's a reason why the State of Arizona is under the  
22 purview of Section Five of the Voting Rights Act and has  
23 to receive preclearance of its redistricting and changes  
24 in its voting procedures. And that's because, in the  
25 past, Native American voting rights have been negatively

1 impacted within the State of Arizona by the official  
2 actions of those bodies which had the authority to adopt  
3 and change districting and election procedures. That's  
4 one of the reasons Native Americans and Native Americans  
5 are extremely concerned about it.

6 Navajo Nation believes there are ways  
7 readily available to address -- to address keeping the  
8 bench mark number pretty much the same, in the mid  
9 seventies, and submitted that.

10 As well, the Commission released, on -- in  
11 its last Flagstaff hearing, on the 6th of September,  
12 other alternatives that could reach that bench mark  
13 number, some as well would not affect AURs in as drastic  
14 a manner as the Navajo Nation's proposal does.

15 The Navajo Nation stands on its proposal  
16 for the Legislative District and does realize the  
17 Commission has other scenarios before it it can look at  
18 in order to try to reach those numbers and requirements  
19 of the Voting Rights Act, specifically Section Two.

20 COMMISSIONER HALL: Mr. Elder.

21 Mr. Seanez, this is maybe a request for  
22 all the people here in the room. In the Wednesday  
23 submittal coming, would you take a look at those? And  
24 if there is room to assist us in any way you can in --  
25 if you see any options, any way you can, if you would

1 present those or give us an idea of what trades are  
2 perceived as being acceptable by the Navajo.

3 MR. SEANEZ: Yes, Commissioner Elder.

4 COMMISSIONER ELDER: Thank you.

5 MR. SEANEZ: Thank you.

6 COMMISSIONER HALL: Mr. Seanez, lest you  
7 were fearful you would not be able to speak to us one  
8 more time, you can be rest assured we'll be meeting in  
9 Phoenix in October. Don't feel this is the last time  
10 we'll have the privilege and pleasure of hearing from  
11 you.

12 We appreciate your input.

13 The next speaker is David Brown followed  
14 by Donald Hancock, the last speaker slip I have.

15 SUPERVISOR BRAUN: David A. Brown,  
16 D A V I D, A., B R O W N.

17 I wish thank you and NDC for your  
18 cooperation in this event. It's nice not have to drive  
19 to one location.

20 Thank you, Commissioner Hall, Elder, for  
21 your participation, perseverance, as Chairman of the  
22 Apache County Board of Supervisors, and also an  
23 attorney.

24 I, this last 10, 15 years, represented all  
25 the cities and towns in the Little Colorado Basin in

1 water matters, and I also represent farmers in Gila  
2 Valley, Duncan, Thatcher, Pima, Safford, Fort Thomas, am  
3 involved with most folks in the eastern third of the  
4 state.

5 I made a proposal at Hon-Dah and made some  
6 comments about the Eastern Arizona Counties' proposal  
7 put together and presented to the Commission.

8 I won't reiterate all the points made in  
9 there. Let me talk more about what was presented today,  
10 some of the takes, and where we're at.

11 Let's talk about the Congressional  
12 District first. I think the rural part of the state  
13 said strongly we wanted a rural district. Symbolically  
14 it means a lot.

15 Ms. Hauser asked Representative Flake  
16 about the difficulties of campaigning over that big a  
17 district. I understand that. I've lived in that kind  
18 of world for a long time. It's a challenge, daunting,  
19 but not something you can't handle. It's would you  
20 rather have a symbolic point, having a rural district,  
21 than anything else.

22 Now personally, I'd rather see it include  
23 more of the eastern part, starting down into Pinal  
24 County, Cochise County, pick up folks, be more eastern  
25 oriented.

1 I notice, by counting up on my map, it  
2 includes 10 Indian tribes out of 21. If you pick up  
3 another one or two, that's better.

4 We, Congressionally, in Apache County like  
5 to be aligned with Indian tribes. Every issue, federal  
6 issues, health, education, welfare, the Apache issue,  
7 having the highest unemployment rate in the entire  
8 country, not just the northern two-thirds, the entire  
9 county. It's a tremendous unemployment rate. We need  
10 federal intervention, federal help, at all levels, all  
11 the way up and down.

12 I strongly support the Congressional  
13 District. We're all in it together.

14 The more tribes we're in with, the better  
15 we feel. We have the issues, the same on the federal  
16 level.

17 That being said, as I know is the case,  
18 Shaw vs. Reno, which has been referred to, not by name  
19 but subject matter, I'll come back when we discuss  
20 Legislative issues.

21 I sympathize with the Hopi. I don't see  
22 how it fits Shaw vs. Reno to leave that design going  
23 northward. It gives us a much more compelling case as a  
24 rural district to have all of us in it together.

25 That's my opinion. And I don't

1 necessarily represent my entire board on that opinion.  
2 I do when I talk about the Legislative issues.

3                   When it comes to water issues, I'm an  
4 expert on water. I don't want to bore you with that,  
5 water issues. It's better to be represented by one  
6 representative for the entire northeastern plateau than  
7 not being represented by one.

8                   As to the Legislative issues, let me boil  
9 down the Congressional issues. You've done a good job  
10 with the Congressional District. You could tweak it  
11 eastward.

12                   You guys are doing a great job. I'd leave  
13 it to you.

14                   On the legislative issues, you heard what  
15 we said from an EACO perspective. You gave us district,  
16 Legislative District E.

17                   I'd love it if I could just sit down. It  
18 don't quite do the trick.

19                   Let's talk about some of the issues  
20 presented.

21                   We've been, for three decades, tied to  
22 Greenlee County. Since the first time we came out with  
23 one man, one vote, had to go to multiple counties,  
24 Greenlee County became a partner with Apache County  
25 forever. We've been tied forever. We'd hate to lose

1 that relationship.

2           The eastern counties are the strongest of  
3 all county organizations in the state. They meet  
4 monthly. On the executive board is Mr. Tenney. It's a  
5 very strong organization. They do more than any county  
6 organization, in my opinion, than anywhere else in the  
7 state. The fact that essentially all the Mayors, all  
8 districts, all Boards of Supervisors all county  
9 officials came together not arguing about being split up  
10 and wanting to leave an area is particularly refreshing,  
11 I think.

12           In all of the other arguments I hear  
13 around the state some want be this way, some are wanting  
14 it this way, to wit Cochise County. They haven't quite  
15 gotten it all together on which way they want to go.  
16 It's pleasant, that note of refreshment, that we are  
17 together and are unified in most respects.

18           Let me tell you about my district a little  
19 bit, supervisor district: Window Rock, St. Michaels,  
20 Oak Springs, Luckton, Chambers, and Sanders, most of all  
21 of which are members of the Navajo Nation. A third of  
22 my district are Navajos. I wouldn't be in this position  
23 if it weren't my Navajo constituents, to be quite frank.

24           I have a very difficult time dealing with  
25 the bureaucracy getting the state government to respond

1 to my Navajo constituents, but it's been particularly  
2 helpful these last two years to have two senators, four  
3 representatives in assisting with our issues with senior  
4 citizen funding; transportation. Senior citizen vans  
5 sit there, no gas to run. Meal trays, no meals, lack of  
6 meal trays. All these issues confront the four chapters  
7 I represent of the Navajo Nation. We receive the help  
8 of two Senators, four Representatives in Apache County.

9 Speaking on behalf and to my Navajo  
10 colleagues, we are far better off having two sets of  
11 Senators, two sets of Representatives representing us.

12 As depicted in the Legislative draft map  
13 where we are in E, Apache County, look over here and  
14 it's split exactly in half, love that, twice as much,  
15 half. Navajo constituents get twice as much. Half.

16 Restricted to one Representative, pot  
17 money, my constituents in Apache County get cut in half.

18 For Apache County, keep Legislative E  
19 intact. It will affect, help my constituency,  
20 especially those in my constituency that are Navajos.

21 Almost lastly, I'm an attorney and I don't  
22 profess to be any kind of expert on voting rights  
23 matters except I have a County Attorney that has been  
24 doing this for a long time in Apache County.

25 I agree that one of the more egregious

1 examples in history, why we're subject to voting rights,  
2 the consent decree to operate with the Department of  
3 Justice, first time I reviewed, looked at this for my  
4 colleagues, four colleagues. They'll submit a letter  
5 Monday, Tuesday to the Commission about their concerns.

6                   It looked to be a real frank Navajo  
7 proposal in June, that came out in June, and said that  
8 doesn't quite fit Shaw vs. Reno, because I really know,  
9 if you look at Shaw vs. Reno, it talks about how Justice  
10 O'Connor states so there would not be a state  
11 concentrated or disbursed minority margin in a single  
12 district by disregarding traditional districting  
13 principles: compactness, contiguity, and respect for  
14 political subdivisions.

15                   Legislative E does those three things as  
16 well as anything up there. Then take a big, I don't  
17 know what it looks like. I'm not very good at art,  
18 can't come up with an animal, but clear, go down to the  
19 bottom of the district, clear down to the bottom  
20 two-thirds, the southern part of the state, and take in  
21 the San Carlos Apache Tribe, it clearly violates the  
22 principles of Shaw vs. Reno. They don't have any of the  
23 issues with the Navajo tribe they do with local people,  
24 economywise, things we deal with at the state  
25 Legislature.

1                   I join the White Mountain Apache Tribe and  
2 San Carlos Tribe more often than not. I can't think of  
3 one time I joined the Navajo Nation to go to Phoenix to  
4 do anything legislatively. They join us all the time.  
5 We have issues of forest, industry, ranching, economy,  
6 transportation, roads. We join together all the time.

7                   Chairman Massey submitted a letter in July  
8 that talked about the economy we have together on the  
9 White Mountain. As a Member of the Chamber of Commerce,  
10 we've worked together through all kinds of economic  
11 development efforts. My wife is on the payroll of the  
12 White Mountain Apache tribe in the winter, like many  
13 residents, and is interrelated in many ways.

14                   You didn't hear one inter-relation of the  
15 White Mountain Apache Tribe San Carlos Tribe, other than  
16 Indians, as prohibited by Shaw vs. Reno.

17                   I think I made all my points and sincerely  
18 hope you'll continue to listen to our concerns as you  
19 have to this point.

20                   I'll get a question. I see a question.

21                   COMMISSIONER HALL: Mr. Elder?

22                   Let me pose a question.

23                   As is proposed for St. Johns, if, when you  
24 balance all things out, we need to come up, an example  
25 is possibly Cochise, they come into Gila Valley, to come

1 into the population, it could be Verde Valley, or could  
2 be moving on in toward Yavapai, or the other option  
3 would be if we came in and, you know, came down from  
4 Yavapai and picked up the balance of Gila outside the  
5 Indian reservations.

6 Are there areas of similarities as  
7 suggested by the proposition that fit the EACO areas'  
8 communities of interest you've got there in the eastern  
9 central part of the state?

10 SUPERVISOR BROWN: I'll give you my best  
11 shot as a citizen, somebody that lives in St. Johns,  
12 fifth generation, have lived there all my life.

13 We have a strong relationship with folks  
14 in the East Valley, have for many years. We have a  
15 Representative, Supervisor Tenney to speak to that.

16 We've just been tied with them on any  
17 different number of issues, especially environmental  
18 issues for many number of years, ranching, mining,  
19 transportation, many different issues. That's far and  
20 away the closest issue, Gila Valley, Globe, Miami, like  
21 that. That has been an area we've been partners on.

22 The letter from the County Attorney's  
23 Office will tell you those five county attorneys trade  
24 cases among themselves, never go out and trade cases  
25 with joint prosecutions. It's just been the first area

1 that has always been together.

2 So we would strongly like to do that.

3 If you are asking, me, all right, if push  
4 came to shove, I had to twist your arm --

5 COMMISSIONER ELDER: Rather lose east or  
6 rather lose south?

7 SUPERVISOR BROWN: We don't have much in  
8 common with the Verde Valley, much less, if you go  
9 over --

10 MR. CULLOR: Mingus.

11 SPEAKER FROM THE FLOOR: -- Mingus Valley,  
12 that direction, there's less in common. We have more in  
13 common probably with parts of Pinal County.

14 When you get to Miami, not that far from  
15 Superior but --

16 You are forcing me to speculate. I'm sort  
17 of rambling.

18 COMMISSIONER ELDER: Fair enough. Thank  
19 you.

20 COMMISSIONER HALL: Thank you, Mr. Brown.

21 The last speaker I have, folks, Mr. Donald  
22 Hancock.

23 Thank you, Mr. Hancock.

24 MR. HANCOCK: Donald Hancock, D O N A L D,  
25 H A N C O C K.

1                   I'm a Native Arizonian, superintendent of  
2 schools, Santaveen School District (phonetic), the  
3 district most impacted by the relocation situation of  
4 the Navajos and Hopis. Deal with on a daily basis  
5 problems created from this situation.

6                   What I'm hearing here about today is  
7 looking at the situation between the Navajos and Hopis  
8 and allowing that to impact how we draw boundaries, how  
9 we allocate the votes. That should not be, in my  
10 opinion. We should stand as a district for rural  
11 Arizona, not special interest groups, not tribal  
12 entities, not religion, or any other basis. It should  
13 be the representation for rural Arizona. We all have  
14 the same issues, same health, same education, same  
15 transportation.

16                   When we draw boundaries, I hope the  
17 boundaries allow the person elected to fill that  
18 position and to vote on behalf of all constituents, no  
19 matter where at, the western part of Arizona or eastern  
20 part, north, or south, represent each one of us as an  
21 elected official to accomplish the goals we need to be  
22 done for rural Arizona. That's my comment.

23                   COMMISSIONER HALL: Thank you. I  
24 appreciate your input.

25                   Ladies and gentlemen, assuming no one else

1 wishes to be heard, we appreciate the opportunity to be  
2 with you here today.

3 I assume no one at any satellite sites  
4 would like to be heard?

5 Hearing none, this meeting stands  
6 adjourned.

7 (The following has been was submitted to  
8 the record and marked Submittal No. 1 and is included  
9 verbatim as follows:

10 "Navajo County Board of Supervisors,  
11 Governmental Complex - NC #18, PO Box 668 - 100 E.  
12 Carter Drive, Holbrook, AZ 86025, Phone 520 524-4053,  
13 FAX 520 524-4239, E-Mail ncbos@co.navajo.az.us,  
14 Resolution 70-01, Resolution of the Navajo County Board  
15 of Supervisors in Support of the Independent  
16 Redistricting Commission's Proposed Legislative  
17 Districts.

18 "WHEREAS, the Navajo County Board of  
19 Supervisors is keenly interested in the Independent  
20 Redistricting Commission's process for creating  
21 Legislative districts and the resulting impact on the  
22 citizens of Navajo County; and

23 "WHEREAS, the Board as a whole and  
24 individually have been active in the Independent  
25 Redistricting Commission's redistricting process; and

1                   "WHEREAS, the proposed Legislative  
2 districts for the State of Arizona maintain important  
3 and traditional communities of interest within Navajo  
4 County and with neighboring Counties; and

5                   "WHEREAS, the Navajo County Board of  
6 Supervisors has always been concerned about the  
7 well-being of the Navajo, Hopi, and White Mountain  
8 Apache citizens who reside in Navajo County; and

9                   "WHEREAS, the Navajo County Board of  
10 Supervisors considers the proposed Legislative districts  
11 as treating all citizens of Navajo County equitably,

12                   "NOW THEREFORE BE IT RESOLVED, that the  
13 Navajo County Board of Supervisors supports the  
14 Legislative districts proposed by the Independent  
15 Redistricting Commission.

16                   "PASSED AND ADOPTED by the Navajo County  
17 Board of Supervisors this 10th day of September, 2001.

18                   "Percy Deal, Chairman.

19                   "ATTEST: Judy Jones, Clerk of the  
20 Board.")

21                   (The following has been was submitted to  
22 the record and marked Submittal No. 2 and is included  
23 verbatim as follows:

24                   "Navajo County Board of Supervisors,  
25 Governmental Complex - NC No. 18, PO Box 668 - 100 East

1 Carter Drive, Holbrook, AZ, 86025, Phone 520 524-4053,  
2 FAX 520 524-4239, 3-mail: ncbox@co.navajo.az.us.

3 "Resolution 69-01, Resolution of the  
4 Navajo County Board of Supervisors in support of the  
5 Independent Redistricting Commission's proposed  
6 Congressional District.

7 "WHEREAS, the Navajo County Board of  
8 Supervisors is keenly interested in the Independent  
9 Redistrictin Commission's process for creating  
10 Congressional Districts and the resulting impact on the  
11 citizens of Navajo County; and

12 "WHEREAS, the Board as a whole and  
13 individually have been active in the Independent  
14 Redistricting Commission's redistricting process; and

15 "WHEREAS, the proposed Congressional  
16 Districts for the State of Arizona maintain important  
17 and traditional communities of interest within Navajo  
18 County and with neighboring Counties; and

19 "WHEREAS, the Navajo County Board of  
20 Supervisors considers the proposed Congressional  
21 Districts as treating all citizens of Navajo County  
22 equitably,

23 "NOW THEREFORE BE IT RESOLVED, that the  
24 Navajo County Board of Supervisors supports the  
25 Congressional Districts proposed by the Independent

1 Redistricting Commission.

2 "PASSED AND ADOPTED by the Navajo County  
3 Board of Supervisors this 10th day of September,  
4 "Percy Deal, Chairman.

5 "ATTEST: Judy Jones, Clerk of the  
6 Board.")

7 (The following has been was submitted to  
8 the record and marked Submittal No. 3 and is included  
9 verbatim as follows:

10 "White Mountain Apache Tribe Executive  
11 Office of the Chairman, Dallas Massey, Sr., Tribal  
12 Chairman.

13 "July 5, 2001.

14 "Arizona Independent Redistricting  
15 Commission, 1400 West Washington, Phoenix, Arizona,  
16 85007.

17 "Re: Navajo County's proposed legislative  
18 district for Northern Arizona.

19 "Dear Honorable Commissioners:

20 "On behalf of the White mountain Apache  
21 Tribe, I write in support of Navajo County's proposal  
22 for establishment of a rural legislative district in  
23 Eastern Arizona. As you know, the rural counties of  
24 Eastern Arizona and the White Mountain Apache Tribe face  
25 unique needs and circumstances due to our remote and

1 rural locations far from Arizona's major metropolitan  
2 centers. While we in rural Arizona do not have the  
3 sheer population numbers like the metropolitan areas, we  
4 still have the same needs and similar fiscal demands in  
5 addition to unique needs and circumstances generated by  
6 the very fact of our rural identity.

7                   Some of the common issues that the White  
8 Mountain Apache Tribe shares with Eastern Arizona  
9 counties include mining, forest health, endangered  
10 species, open space, ranching, farming, recreation,  
11 transportation, water resources and health care funding.  
12 As a direct result of these common concerns and the  
13 rural location of the White Mountain Apache Tribe, I  
14 write to advocate your consideration of Navajo County's  
15 proposed legislative district which includes the  
16 southern portions of Apache and Navajo Counties, and all  
17 of Greenlee, Graham and Gila Counties.

18                   "Another benefit gained through the Navajo  
19 County proposal is the assurance that the White Mountain  
20 Apache Tribe and the San Carlos Apache Tribe will be  
21 within the same legislative district. White the  
22 Mountain Apache Tribe believes this essential, to unite  
23 the voice of Apache people in ensuring that our interest  
24 and needs are heard and served in the Arizona  
25 legislature. Without this united voice, our concerns

1 will be stifled by those of non-Indians, creating a  
2 situation where our interests are placed at a lower  
3 priority than other communities which do not suffer the  
4 same economic and social problems as we. We believe  
5 that uniting the voice of as many Indian nations across  
6 Arizona - through their elect representatives - will  
7 help protect the core values and culture unique to our  
8 communities and our people.

9                                "Sincerely, Dallas Massey, Sr.,  
10 Chairman.")

11                                (Whereupon, the hearing concluded at  
12 approximately 7:49 p.m.)

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STATE OF ARIZONA     )  
                                  )  ss.  
COUNTY OF MARICOPA   )

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 163 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 19th day of September, 2001.

\_\_\_\_\_  
LISA A. NANCE, RPR, CCR  
Certified Court Reporter  
Certificate Number 50349

