October 14, 2011
1:18 p.m. (MDT)

Location
Navajo Nation Museum
Highway 264 and Loop Road
Window Rock, Arizona 86515

Attending
Colleen C. Mathis, Chair
Linda C. McNulty, Commissioner

Kristina Gomez, Deputy Executive Director
Buck Forst, Information Technology Specialist
Joe Kanefield, Counsel, Ballard Spahr

PREPARED BY:
AZ Litigation Support, LLC
Michelle D. Elam, CR
Certified Reporter
CR No. 50637
Chairperson Mathis: Good afternoon.

This meeting of the Arizona Independent Redistricting Commission will now come to order.

Today is Friday, October 14th, and the time is, let's see, 1:18 p.m. Mountain Standard Time — no, sorry, Navajo Nation time and 12:18 Mountain Standard Time.

Let's begin with the Pledge of Allegiance.

(Pledge of Allegiance was recited.)

Chairperson Mathis: Well, it's wonderful to be here in Navajo country at the Navajo Nation Museum. I've never been to this building before. It's quite beautiful, and we appreciate you all hosting us here.

The purpose of today's hearing is for you to provide input to us on the draft maps.

We have a draft legislative and a draft congressional map. And today we're hoping that you'll tell us the error of our ways or if you like what we did, it's always good to hear that, too.

So please feel free to fill out a request...
to speak form. You should see that on your way in.

And at the time that we get to the public comment
portion of the meeting, I'll be calling names and
you can come up and tell us your comments.

So let's first start with roll call and
also introduce the other people at the table.

Commissioner McNulty.

COMMISSIONER MCNULTY: Here.

CHAIRPERSON MATHIS: Commissioner Stertz,
Commissioner Herrera and Commissioner Freeman are
all, I'm sure, watching this via the Internet today.

Not all of the commissioners attend every
one of the meetings. We're all taking turns in
going to different places around the state.

This is, I think, our fourth hearing now.

Yes, fourth out of about 26. So it's early in the
process and we'll be going throughout the state for
the next three weeks or so.

So if you want to check our website and
see where -- other places we're going, please feel
free to come to those hearings as well.

So other folks at the table are our
mapping consultant, Andrew Drechsler, and legal
counsel, Joe Kanefield.

Our chief technology officer is Buck
Forst. He's ensuring that this is going out over the Internet.

We have a court reporter taking an accurate transcript of today's proceedings, Michelle.

And other people from our staff include Kristina Gomez, our deputy executive director, Lisa Schmelling and Kristy Olson, both public outreach coordinators who are here.

And please feel free to contact -- talk to any of our staff if you have any questions or comments or need any assistance.

Federal law requires us to translate these proceedings. And with us today we have a couple of translators. We have a Hopi translator, Jennifer Joseph, and we also have Gerlit Buffington, who is our Spanish translator, and Ralph Scott, our Navajo translator.

And I thought it would be helpful if each of you would make a few opening remarks now to find out if anyone requires any translation services.

So if Jennifer Joseph would like to come up.

JENNIFER JOSEPH: Good morning, ladies and gentlemen. My name is Jennifer, and I am the
Hopi translator for this meeting here. So I will be glad to assist anyone who is needing translation in Hopi to the best of my skills.

It can be pretty difficult and our language doesn't have words for a lot of issues with such.

And so if I may, (speaking in native tongue).

Thank you.

CHAIRPERSON MATHIS: Thank you very much.

Our next translator is -- will be Spanish, Gerlit Buffington.

GERLIT BUFFINGTON: Good afternoon. My name is Gerlit Buffington, and I'm very pleased to be here to help to assist any person who needs my service in Spanish.

(Speaking in native tongue.)

Thank you very much.

CHAIRPERSON MATHIS: Thank you, Ms. Buffington.

And our last translator is Ralph Scott for Navajo.

RALPH SCOTT: Good afternoon, ladies and gentlemen. My name is Ralph Scott. I'm the Navajo translator. Glad to be here.
Thank you.

CHAIRPERSON MATHIS: Thank you very much. Well, I think we've covered all of the housekeeping items.

I do want to also mention if you would prefer not to speak today to us in terms of giving us testimony, you can do that also in written form using a blue sheet, which you also should have seen on the way in.

So feel free to fill out a blue form if you would just like to give us some input but not come up to the podium.

So with that, I think we can move on to the next item on our agenda, which is a presentation from our mapping consultant, Mr. Drechsler about the redistricting process.

ANDREW DRECHSLER: Thank you very much.

Good afternoon. We're here today to discuss the draft maps presented by the Arizona Independent Redistricting Commission.

The draft maps are currently under a 30-day review period, which means -- which is one of the main reasons we're here today to hear your opinions on the maps.
Before we display the maps we wanted to give a quick overview of the process in general.

Arizona's redistricting process is governed by the state Constitution as amended by voters in 2000 with the passage of Proposition 106. It stipulates that the Arizona Independent Redistricting Commission redraw Arizona's congressional and legislative districts to reflect results of the most recent census.

Due to the 2010 census, Arizona gained a congressional seat. So we are going from eight seats to nine congressional seats.

What are the guidelines of Proposition 106?

A, it must comply with the U.S. Constitution of the Voting Rights Act.

B, must be equal population. Criteria A and B are federally mandated.

The other four criteria are, to the extent practicable, C, compact and contiguous; D, respect communities of interest; E, use visible geographic features, city, town, and county boundaries, and undivided census tracts; and F, favor competitive districts where no significant detriment to other goals.
We wanted to do a quick overview of the Voting Rights Act.

Arizona's congressional and legislative districts must receive preclearance or approval from the Department of Justice or a federal court under Section 5 of the Voting Rights Act before they can take effect.

To get preclearance, Arizona must demonstrate that the new districts do not discriminate against minority voters in purpose or effect, which means there can be no intentional or accidental discrimination.

Under Section 5, Arizona's redistricting plans cannot be retrogressive. The plans cannot weaken or reduce minority voters' rights.

The presence of discrimination can be determined by analyzing population data and election results.

We wanted to give a quick overview of the six steps that we see as the process and the timeline for the Commission as a whole.

The Commission was set up earlier this year. The commissioners were appointed following a thorough screening process and serve in a voluntary role.
The five commissioners are Scott Freeman, Vice Chair; Jose Herrera, Vice Chair; Colleen Mathis, Chair, and with us today; Linda McNulty, who is with us today; and Richard Stertz.

After the Commission was set up, they had the first round of hearings. Before a single line was drawn, the Commission held 23 public hearings around the state in July and August to get input from members of the public about issues relevant to redistricting such as geography, communities of interest, minority voting rights, and competitiveness.

Step 3 was the mapping.

After the second -- after the first round of hearings, the Commission adopted a grid map, which was approved on August 18th.

Per Proposition 106, we had to start with the grid map which took into account two of the six criteria, equal population and compactness.

Since adopting the grid maps, the Commission has met more than 25 times to consider adjustments to the grid, to accommodate all of the state constitutional criteria.

During this time they received additional public comment and draft maps.
Approval of draft maps.

On October 3rd, the Commission approved the draft congressional map that incorporated changes based off the constitutional criteria. It also approved the draft legislative map on October 10th.

Step 4 is the second round of hearings, which you are currently participating in today. We are during the month of October, we are visiting 25 towns and cities to share the draft maps and receive additional public opinion and input during the second round.

Step 5 is the final maps. Upon completion of public comment period, the Arizona Independent Redistricting Commission will document final maps.

Step 6 is the preclearance. As we mentioned before, Arizona is subject to Section 5 of the Voting Rights Act. The district maps must be approved by the federal Department of Justice or the federal court in Washington D.C. before they can be used for Arizona's elections.

Before we show the congressional map, we just wanted to go through the process of how we got
This is the last map -- this was the congressional map approved by the last Commission and most recently used in the 2010 elections.

Per Proposition 106, we needed to start with a blank slate. Also per Proposition 106, as I mentioned before, on August 18th we had to approve -- we approved the grid map, which then got us to October 3rd, the approval of the draft map.

The draft map -- the draft constitutional districts include two predominantly rural districts, three border districts, two districts in the city of Tucson, five districts that are entirely in Maricopa County that avoid splitting Arizona's Indian reservations, and it has two districts where minority voters have the opportunity to elect the candidate of their choice.

The legislative map followed a very similar process. This was a draft map that was approved by the Commission -- the last Commission and most recently used in the 2010 elections.

Like the congressional map, the legislative map started with a blank slate and we come up with a grid map that was approved in August. And finally leads us to the draft map that was
approved just earlier this week.

The draft map -- the draft legislative districts include -- the old districts under the map that was used in 2010, the population ranged from 155,000 to 378,000. In the current draft map, the population ranges from 207,000 to 215,000.

To comply with the Voting Rights Act, the draft map includes ten districts in which minority voters should have the opportunity to elect the candidate of their choice.

The draft includes three districts wholly within Pima County and three additional Southern Arizona districts. It has seventeen districts primarily within Maricopa County and nine districts primarily rural.

As the Chair stated at the start of this meeting, one of the big reasons we're here today is we want to hear your opinions on the draft map.

You can fill out a request to speak form at a public hearing and provide your thoughts to the Commission.

Examples of such input that we are looking for is anything regarding the constitutional criteria, any thoughts on the congressional map, or any thoughts on the draft legislative map.
You can also submit your opinion -- you can submit your input by, of course, speaking at one of the public hearings, filling out one of the blue sheets, or going to the Arizona Redistricting website and filling out public input there.

You can visit us at www.azredistricting.org or call us at 602-542-5231 or toll free at 855 redistrict.

This is just a screenshot of a home page. Just wanted to highlight a couple of different things that we feel that the public has found useful.

As you see, there's two ways to review the maps. Up on the left that's a number of different menu options. You can view the maps there or you can go to the bottom under the picture and see either the legislative or the congressional map.

If you want to find any -- if you wanted to watch all of the deliberation that took place to come up with the draft maps, all of the past meetings are available to stream on the website and details about future meetings.

And also you have the opportunity to provide input based on any of your thoughts on the draft maps. If you click on the public input form,
you will get -- you'll come to a page where you can submit that input.

If you click on the draft maps at the bottom of this page, you come to a page that looks like this and it gives you the opportunity to review the maps in greater detail.

One feature that the public has liked is the Google maps. And if you click -- you see the Google map circled in red, click on one of those on your screen that looks like this.

One of the nice features about the Google maps is you can scroll in and really see the boundaries of your district and it will give the exact streets of the borders of your district.

And finally, we want to make sure that you stay connected, to know what's going on with the redistricting process.

You can visit us at our website and you can have the opportunity to draw your own maps, watch current -- or current meetings or past meetings, get updates on future meetings.

You can follow us at Twitter at #AIRC or friend us on Facebook.

Thank you very much.

CHAIRPERSON MATHIS: Thank you,
Mr. Drechsler.

So our next item on the agenda is to hear from you, and we hope that you will come up and tell us your thoughts. And please feel free to be as detailed as you would like to be in terms of specific modifications you think we need to make on these maps or, again, if you are happy with the maps as they currently stand, please tell us that, too. It's all very helpful information to us.

Just a few reminders. When you do come up to speak, please speak directly into the microphone, and you'll have to get pretty close to the microphone in order for everyone to be able to hear well and over the Internet as well.

Please state your name and spell it for the court reporter so that Michelle can get an accurate transcript.

And I think that's it. I think those are the only guidelines.

So please feel free to come up when your name is called, and our first speaker is Heather Anderson, representing President Shelly from the Navajo Nation.

HEATHER ANDERSON: Good afternoon.

My name is Heather Anderson,
I'm the legal counsel for President Ben Shelly, here for the Navajo Nation. I would like to go ahead and read a letter -- statement from Mr. Ben Shelly.

Good day.

Dear Commissioners, good day. This letter serves as an official support for the Navajo Nation office of the president for the draft congressional district 1 map entitled Commission Approved Congressional Draft Map, and Legislative District 7 map entitled Legislative Merged Map as of 10/19/11.

The Navajo Nation Human Rights Commission worked with your organization on behalf of the Navajo Nation to protect Native American voting power by participating in the state of Arizona's redistricting plans.

Redistricting -- Arizona must abide by the Voting Rights Act because it has a history of discriminatory treatment against Native American.

Prior to 1948, Arizona largely excluded Indigenous peoples from the electoral process, even though Indigenous peoples had the right to vote since 1924.
The people were prohibited from voting until they cast a meaningful ballot, which meant Native American were required to pass a literary test in order to vote, which was later banned because they were unconstitutional.

Section 2 and Section 5 of the Voting Rights Act are of particular importance for the Navajo Nation and Navajo voters because the two sessions prohibit discrimination.

Section 2 applies to all jurisdictions and prohibits the imposition of a voting qualification or prerequisite to voting or standard practices or procedures to deny or abridge the right to vote on account of race or color.

This section also protects the language minorities, which Native American language populations qualify.

Section 5 applies to certain jurisdictions that have a previous history of discrimination.

Arizona is covered -- is a covered jurisdiction under Section 5 because the State's past history of discriminatory practices with regards to voting.

Arizona must submit redistricting plans
and any changes to electoral laws, practice, or
procedures for preclearance to the United States
Department of Justice or the United States District
Court for the District of Columbia.

Arizona must abide by its own
Constitution which provides that all districts
should be compact and contiguous, must respect
communities of interest, and competitive where the
competitiveness does not take away from the other
factors.

The Navajo Nation Human Rights Commission
with the participation from other tribes proposed
maps to Arizona Independent Redistricting Commission
which complies with the federal and state standards.
The Navajo Nation interest.
The Navajo Nation government and the
Navajo people share common concerns regarding the
state and federal policy.

First, Indigenous nations are often
confronted with issues regarding economic
development, protection, and the use of natural
resources such as water, minerals, wind, energy, and
coal.

Second, Indigenous nations and the people
consistently face challenges to our inherent
sovereignty and the right to self-determination.

Finally, as governments and as citizens
of an Indigenous nation, we share common issues of
protecting our lands, based -- regarding protections
of sacred sites, the right to use land and minerals,
right to free prior and informed consent before
development of additional lands and the right to
practice religion and culture.

The Navajo Nation supports the map. The
importance of the congressional and legislative maps
proposed by the NNHRC is that the maps provide for
the opportunity for more Native American
representatives to become elected officials.

Specifically, the congressional map
provides for the opportunity for a Native American
to be elected to the U.S. Congress for the first
time.

The congressional maps include the Navajo
Nation, Hopi Tribe, Hualapai, Havasupai, San Carlos
Apache Tribe, White Mountain Apache Tribe, Kaibab,
Gila River Indian Community, Ak-Chin Indian
Community.

This map demonstrates a 25.5 Native
American voting-age population, which is well beyond
other maps proposed to the Arizona Independent
Redistricting Commission.

The legislative maps provide for the opportunity for Navajos and other Native Americans to be in a largely Native American district where 62 percent of the voting-age population is Native American.

Prior to the last redistricting efforts in 2000, Navajo Nation legislative districts had a Native American voting-age population of over 70 percent.

In 2000, the Native American voting-age population decreased to 62.2 percent.

Currently, the draft legislation (sic) map meets the 62 percent threshold.

So on behalf of Ben Shelly, that's the statement that he would like to go ahead and have the Commission to take into consideration.

Thank you.

CHAIRPERSON MATHIS: Thank you very much. Our next speaker is former State Senator Jack Jackson, Sr., representing self from Apache County.

JACK C. JACKSON, SR.: Thank you.

How much time do I have?

CHAIRPERSON MATHIS: As much as you would
1 like.

JACK C. JACKSON, SR.: Thank you.

Name is Jack C. Jackson, Sr. I live here in Window Rock.

Pleasure to come before you. Very important body here.

I was down in the state for almost 20 years, first as a House of Representative and then senator. I would have still been there if it wasn't for the health reason. I resigned and came home.

When I first got down there, I met a man by the name of Burton Barr, the late Burton Barr. You probably know him. And he was very powerful man, leadership of the Republican party.

So he called me to his office and he asked me, "Mr. Jackson, what are you here for?"

I said, "I really don't know."

He sent me down here.

So he said, "We have one issue -- very, very important issue I would like for you to help me on."

"What is that?"

Well, he said, "We have a very poor relationship with the Native American people in this state. They don't come here. They don't come here
because they don't trust us. This distrust based on
the mistreatment, abuses that the state -- to Indian
people. How can we build a better relationship?"

So I came home and thought about it, what
can we do to initiate some kind of action to bring
the people back together.

Well, I thought about -- before I came
home, the state fair was going on. I went over
there and they had Indian day. It was on Tuesday
and Thursdays. Hardly anybody was there. And the
rodeo also, few contestants.

So what's going on? How come they are
not interested in this event? Maybe we can build it
up. Maybe we can use this event.

So I went back to Mr. Barr and I told
him, "Here is an opportunity, I think. Let's work
on it."

It. He said, "Okay. What do we need?"

We need to move those two days toward
weekend because that's the middle of the week.
Everybody is working. I don't know whose idea was
this. And we need to put more money into awards so
it would be worth coming here for.

And we need to invite tribal leaders here
and the tribal council members and who they want to
and we need to invite the legislation members to
come and join us here. And this is what we are
trying to do with this. It will be education.

So he went to the fair board and
requested additional funding. He requested to move
the dates up toward weekends and we got all of that.
They gave it to us. They said go ahead.

So that first year that place was packed
and we were very happy with the turnout.

The Indian leadership were introduced and
they gave them a chance to talk who they are, where
they are located, and how many members they have,
and what the tribe and what are some of the basic
problems they have. So dialog took place right
there.

And then later, later I came home
again -- this is I forgot what year it was, in the
'80s, I had -- my wife's brother, the late Leo
Watchman who was the member of the Arizona -- New
Mexico state legislature, a house member, so he
invited me to go to the Indian day -- Indian tribal
day in Santa Fe.

I was so impressed with all of these
tribal members participated in the committee
meetings. He said how come you don't do that over
there?

So I went back and told Mr. Barr, "Hey, I went and saw this event over there. Why don't we do that?"

He said "Okay. I'll start working on it."

So we introduced a legislation to initiate a Native American legislative day. That brought the people in also. From that point on, the relationship got a lot better. It's not all there yet.

So that's about 20-some years ago that I came home. And they want me to come back this year to the Indian rodeo and tell the people the real purpose of that rodeo. So I'm thinking about going.

So that's one. There was mistrust.

And since then, there's several controversial issue that popped up. One is San Francisco Peak. We are over and over going to court and all of that and other issue also, the casino.

Casino issue in downtown Glendale and the people in Tucson area still have an issue with the state line.

When Arizona drew its map -- when Arizona became a state, they drew a line right in the middle
of this tribe of land. The people on the other side became illegal immigrants. So that's a big issue to them now. So that's what happened.

I just want to share that with you.

Another issue that I got involved in is education. Governor Hull was the governor then and she was the one that was here with the Navajo Nation back -- as a teacher, her husband was working over at Indian Health Service. So they know -- they know about the situation here.

So the legislation that she introduced calls for increase in tax, one cent on each dollar, a sales tax. So it became a very controversial issue.

The Republicans didn't want it. Only a few of them wanted it. The Democrats, my caucus, said no way. No way, John. We won't have any of this.

So Governor Hull called me and said, Jack, I know your situation over there. I know your schools. They are rundown. Some of them don't even have a restroom or water running. In the wintertime, some of them don't have any heat. In the summertime some of them don't have air conditioner.
So what are you going to do about it?

Here is a chance -- if we get this money, we can work on that.

I said, "Okay. I know what you mean. I'll help you."

So that night, she read it in the House, the bill in the house and she only came up with 30 votes. You have to have 31 votes. So she called me again and we run this thing one more time in the house. Are you still with us?

I said, "Yes, I am."

So all I did was report what I'm doing to my caucus. This is why I'm doing.

So they understood. You come up here and look at our schools, our school facilities, very, very poor. The same way all over the state. Same with other Indian tribes.

So that night, that bill was voted on. With my vote at 31, it passed the house. I was a very popular Democrat for a few days by the Republican party. My caucus gave me glares and what did you do that for?

I said, "I did this for my people, the constituents. They wanted it."

So that sales tax went up and start
Then she had to work with a group called Standard Committee, like your group here. How will we use that money? Who is going to get the money? How do we determine who is qualified? All of that.

And I know right down here -- Indian Wells, one of my cousin was a school board member at Holbrook school district.

You know how the Apache -- the counties are set up narrow, narrow strip, way up and down south all the way up to the north.

The school districts were like that, too. So every day Holbrook ran a bus back and forth, back and forth hauling those kids. Some of these kids were on the bus four hours a day and that -- I went to the Standard Committee and told them about what was going on up here.

They didn't believe me at first. So I went back again several times. So they had a manager, CEO that was -- I forgot his name. They said, "You go up there with him."

So we had a hearing at Indian Wells and there were a lot of people there that night at the hearing. Mothers came before this gentleman and some of them shed tears. This is how my little kid
is being treated.

So when do they have time to visit their parents? They get up at 4 o'clock in the morning, get on a bus by 5 o'clock and be -- try to be over in Holbrook by 8 o'clock.

When they get there, they are already tired, sleepy, hungry. That was a process that was going on.

So I said to them, to the Standard Committee, these schools are denying my people the rights to a decent education by doing this.

Why are they doing that?

Because each kid has a dollar attached to them. It comes from the federal government. That's what they are after.

And also what they are after is the parent to come there, down to Holbrook or Winslow or Flagstaff, so they can do their business there.

See, this was used as mechanism, control.

So finally, when we met in Indian Wells, this gentleman said to them, "I heard enough. You're going to get a new school here, elementary school."

If you go down the Holbrook Road, there's a new school right there in the corner, Indian
Wells. A beautiful school. That's how it came about.

And if you go down to Flagstaff in that area, there's several new school facilities. That came about -- there's another high school, White Cone, it's a charter school, that was built with that money.

And then we barely got a school over here at Red Valley. They had sent their kids -- sneaked their kids into New Mexico.

So with that -- with that, the Standard Committee came up with a policy that said no kids should be riding the bus for more than 45 minutes one way. No kids should be riding the bus for what was it -- the time that they set.

And if a community has a hundred or more kids in their category, they classify it as a geographic exception. So they are entitled to a new school. So some of our community got their new school through that.

So that way we went to the Standards Committee and they took action on it. They took a stand on it, which was very good.

So I'm telling you because now that we have this Flagstaff situation, I'm in favor of both
proposal, the congressional district --

CHAIRPERSON MATHIS: Draft map.

JACK C. JACKSON, SR.: Yes, number 7 and number 1.

What I hear is -- the only thing is with the number 1 proposal, that San Francisco Peak is going to be in the Navajo district.

I understand that the people, Flagstaff business people are opposing that and they are going to try every way to change that line. And why is that mountain so important to us?

I have to explain this to my own kids.

I do a ceremony called Windway, and I brought some paraphernalia for you to see.

This is nothing new. These were built way back -- there was a mountain way back there before European people came here. And on several occasion we were criticized.

What you have here, your story, your history is not valid because it doesn't have background, history, document, certification. These didn't happen.

Our ceremonies, our healing ceremonies that's what it is, they tell us.

So you tell me the story, what day did it
happen? We don't have no dates on it because we
don't have it. We don't have a written history.

But I hope I don't take too much time.

I think I'm showing you this because I
want you to know to us, it's very, very important.
So is other tribes.

So if the land is moved and San Francisco
Peak ends up on the other side, then that work that
we put in by the late Burton Barr and myself and
other people, that's going to throw that out.

Mistrust will be there again and our
young people will be upset and then there may be
some trouble over the Flagstaff because we already
have it happen.

My grandfather was a medicine man for
several years when I was a little boy. And after he
passed away, my father was using it.

This is just a couple items we show you.

And this is Windway. There's a black
one, there's a blue one, that's an orange, yellow,
and white.

What they say is four wind, wind to the
east, four direction. One to the east, the black
one is a boy.

And over here west, blue one is a young
lady. Turquoise. Turquoise lady.

And then over to west, it's a yellow, it's a boy, too.

And over here is white.

So there's four of them. They are the one holding the whole universe up, keep in balance.

At one time it was a perfect balance. Since mankind start disturbing it, it's -- the balance is not there anymore.

That's why we have all of these problems.

The other day I was watching TV, the tornado in Mexico, that part of the ocean. Look what happened back East? Looked what happened over in Louisiana, that area, and look what happened all of fire that we are getting, coming from lightning. What happened to all of these flood that we have back there?

So those problems are created because when the Europeans came here, they said you do as I say.

So at one time when I was a little boy over in Teesto area, my brother and I used to herd sheep. We must have been around 10. We sit there and we see airplane every once in a while.

We didn't see these big ones, it was
small ones. We said, oh, my gosh, look at there? Look at there those white people? They must be very, very intelligent and smart. We want to be like them. And even my parents said that.

The Navajo people said this. Put this away. That's the thinking that came over us until very recently when we were told that throughout the world, the Indigenous people are going back to traditional way because what we are told wasn't so true.

Look at our problem we have now? All of those experts, financial expert, economic expert. Look the kind of problems we're having, our economy.

So they were not that smart. They created all of those problems for ourselves, for us.

So let's go back to our traditional way and begin learning what has happened? The education on Navajo Nation that force our young people to forget about this?

And this is the air that we breath in every day, all of us breath in air. So we ask -- we talk to the air, holy people say just give us the clean air and take out the one that's no good. If we breathing clean air, we be healthy. Goes up to our mind, all the way up there and makes us think.
So this was created.

Here is a chart that I brought with me for your -- it's a corn stalk. These are the four worlds that we went through.

Down here is a dark world, blue, yellow, and then white.

Down here there's a woman and a man sitting here. They pointing up like this (indicating). It's the first man and first woman.

What they are talking about there is where are we going? As a leader, where are we taking our people?

This is the philosophy (speaking in native tongue) is our philosophy. And let's follow that.

It has two parts to that concept, beautiful concept, which is so beautiful right here in front of us.

So that college is using that concept now. Not very many people know about this, what it is, the definition.

So when this universe is being put together, the holy people put them in there, all of the element, the sky, the water, the air, the mountain, the sun, the moon, this concept was put in
there.

   And as we come up here, they ran into a lot of problems here.

   Right here when they left this area, there's a hope on being built and this is around a around -- a around, around, around thing with the facing east door with east and open up here. And this sweat house, too.

   So I think that the way I interpret this is the mountain that we have, the four main mountains that we have now is already down here.

   As they came up, they came up all the way up here, somewhere right here the fourth world. They came up again to the next world but there was some beings living there, a water being.

   So when they say, hey, where are you coming from? Where are you going? Go back to where you came from.

   He said, no, I'm looking for a place to live. Please help us.

   So they negotiated and there was a very, very intelligent being -- one of them, you negotiate for us.

   So he negotiated with these people, and he won.
So at that point, we won our sovereignty. Our sovereignty was created. We have the right to live in this world.

So from that point on -- this, what I have here and -- it's a crystal. This is still pretty common. They have this. That's why I call it talking stick, spiritual talking stick.

We have people here, some young people that learned a song, the prayer and they look into this with this at the future, what the future going to look like. What is there? What is causing the problem, our problem?

So we still have that, and he brought it up here, all the way up here. And right here they used that to reestablish the mountains, the four mountains. (Speaking in native tongue) In a round circle like this and two more as the doorway way up there.

So one of the holy people would call a (speaking in native tongue) when the monster that were born here created a problem, they were eliminated.

So he went and made his round around those four mountains -- six mountains, really. So he was singing a song. He was singing a song.
This is just an example of the San Francisco Mountain. It goes like this.

(Singing in native tongue.)

That's the way it goes. Not the same for all four. They have different names.

So that's a very popular. Our kids sing them. This is a how you going to get there. This is how you're going to get educated. There's knowledge in these mountains. There's hope, there's hope in there. There's a hope and then there's a thinking, how they think. There is a plan and then finally putting the action. You can make a living, a decent living.

That's how I teach my kids, how I talk with them.

So this is nothing new. It was created. It was here when the white people came here, Europeans came here, and is still here. Looks like it's going to be here for quite some time.

And if anybody that -- trying to take the San Francisco Peak away from us, we're not going to allow that.

So we need your help. So eliminate a lot of those problems which may come with it.

So I hope this was a short, short
education. Would be beneficial to you to why we're wanting to keep -- San Francisco Peak is so important to us now and in the future. We want to keep it that way.

If a change is made, there's going to be an uproar by Indian people, not only in Arizona but other tribes throughout the country. Okay?

Thank you very much.

CHAIRPERSON MATHIS: Thank you very much. You have a beautiful singing voice.

Do you have any questions?

Any questions?

Commissioner McNulty.

No?

Thank you, though.

Our next speaker is Rose Graham, director Navajo Nation scholarship -- I can't read the last word -- from Apache County.

ROSE GRAHAM: Madame Chair Mathis and distinguished members of the Commission and staff and audience, yá’át’ééh.

I'm Rose Graham. I'm with the Navajo Nation scholarship office.

Thank you very much for holding this important hearing on the redistricting process in
the state of Arizona. I appreciate the opportunity to provide this information.

Each year the Navajo Nation scholarship office serves more than 20,000 Navajo students pursuing postsecondary education in colleges and universities throughout the United States, providing scholarship and financial assistance.

A majority of these students we serve remain close to home and attend colleges and universities in the Four Corners area. For the Navajo students, Northern Arizona University and Coconino Community College in Flagstaff, Arizona, are popular choices as institutions are well-regarded and near the Navajo Nation boundaries.

The graph below is -- shows that over the past eight years, the Navajo Nation has provided $13,066,317 in funding to more than 6,000 Navajo students attending NAU and the Coconino Community College.

And each year in -- from 2011 and dating back to 2005, the funding to students at NAU number in excess of -- or average about $1.5 million a year with more than 700 students attending NAU; and then also at Coconino Community College, more than $135,000 with over 100 students attending the
Therefore, the Navajo Nation -- the Navajo Nation scholarship office supports the redistricting maps draft legislative map and the draft congressional map as provided by and supported by the Navajo Nation legislature and the Navajo Nation Human Rights commission.

The map maintains communities of interest most aligned with the Navajo Nation and provides fair electoral opportunities for Navajo students and Navajo families within the region.

Thank you very much.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Ferlin Clark, vice president from the Office of Navajo Nation.

FERLIN CLARK: Good afternoon. I'm Ferlin Clark. I representing the Office of the Navajo Nation vice president's office. Rex Lee Jim is the vice president and so I'm representing his office today.

Good afternoon, and welcome to Navajo land.

The Independent Redistricting Commission, Madame Chair, the Office of the Navajo Nation vice president represents over 300,000 people on Navajo
Many of our citizens are role members of the Navajo Nation, the state of Arizona, the United States, and, of course, our representatives and citizens of the world.

And so a lot of our residents and citizens reside in isolated rural parts of the Navajo Nation, which are on, you know, the northeast portion of the state of Arizona.

We're -- many of our communities, our parents, our elders, our children continue to practice our traditional Navajo language, culture, history, and philosophy.

As you heard from our esteemed elder here, former Senator Jack Jackson, Sr., we concur with that. We endorse that. We support that eloquent presentation.

We have Navajos who participate in the local governing initiatives at the chapter level within the counties as well as with the state.

We recognize the value of our voting rights and the protections afforded to us, all of us, as citizens of the United States under the 1965 Voters' Rights Act.

The Office of the Navajo Nation vice
president supports vehemently the drafted Arizona congressional and legislative maps that we are here in support of.

We find it necessary and prudent that the office of the vice president express its support of these draft maps.

Both the congressional and legislative maps meet the current Native American voting-age population thresholds established by the prior Arizona Independent Redistricting Commission.

The proposed legislative maps establish a 62 percent Native American voter-age population, which is reflective of the communities, the land, the population, the geographic which is comporting with our natural, traditional, and customary laws, which really has no boundaries.

This provides the Navajos and other Indian people in our district the opportunity to elect our own candidates to congress.

Additionally, it provides an opportunity for Navajos and our other neighboring tribal leaders to exercise a basic fundamental right established under the United States Constitution, the ability and the right to vote.

The right to have our votes counted
equally and equitably, the right to be free from any
discriminatory voting practices, and the right to
speak and exercise our way of life, which some
construe as religion. But the Navajo culture,
language is our way of life and this will comport
with that.

Additionally, the Navajo Nation as a
government and the Navajo people share common
concerns with the state and federal leaders,
policies, and this proposed map is able to create
common concerns, common efforts to unify our votes,
our leadership, our vision as we aim to protect our
natural resources, our water, our minerals, the
wind, the air, the coal, some of our renewable and
sustainable energy, including wind, resources
development.

We also find that this is consistent with
our exercise to operate our governments as
sovereigns -- as sovereigns within the state of
Arizona as well as the United States.

And just as important as Senator Jackson
here conveyed, I think where the sacred mountains,
the San Francisco Peak, is going to be restored back
to the Indian people in the state of Arizona for
kind of like -- it kind of creates a balance. It
restores a political, geographic balance, the exercise of that political right, but also it makes it more authentic that we can go to these mountains and express our prayers, exercise our ceremonies, exercise some of our sacred words.

And some of these words, like the Navajo language is used in the World War II in the victory for the United States. And so through the exercise of our religion, exercise to free speech, this mountain and the ranks that are part of the Navajo Nation would be under one legislative district and congressional district, and we support that.

Madame Chair and members of this Commission, the Navajo Nation Office of the vice president supports the current map configurations for Congressional District 1 and Legislative District 7.

Respectfully request the Native American voting-age populations in the these two maps remain intact, and where possible, exceed the population of the Navajos.

I know Navajos contribute to the state of Arizona in very different ways, and I think one of the important things is our cultural vitality.

So members of the Commission, thank you
for your visit to Navajo land, and we concur and echo the sentiments from our President, Ben Shelly, and also former Senator, still Senator and leader, also one of our cultural practitioners, Jack Jackson, Sr.

So thank you very much.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Ben Bennett, from Fort Defiance Apache.

BEN BENNETT: Good afternoon, commissioners, Chair. I'm glad to be here.

And my name is Ben Bennett, B-e-n, B-e-n-n-e-t-t, and I do represent Fort Defiance chapter as their chapter president.

And I, too, wish to echo a lot of the sentiments that Senator Jackson expressed.

I think that we as Navajos are finally making a headway in a lot of our strives that we've been working hard to achieve through education, competing in rodeos, as Mr. Jackson said, competing in legislatures, competing in education, sports, and I think that we will continue to strive.

I think that some of the concerns that we do have with the state of Arizona and how things are handled during election day are -- for instance,
number one, a few years ago I think it was Elvin Tom who lost an election because he was told that the people that voted for him did not have rural addresses and they used post office boxes.

Well, out here in this community, we still use post office boxes as our way of communication. There are no rural addresses out here in our communities. That has yet to happen.

So that is one of the issues that we do want to address.

The other one is that when we go to vote, the driving distances that we have to go to are very far, and I think that there's only a certain time that we can do that. And it's very hard for our voting population to have to drive across the country to get from the tribal election to a state election.

The other one is, you know, when there's bad weather, that's hard to do.

The other thing is that I think it would be very positive for the state of Arizona and the Commission here to recommend that a lot of the polling places that we do have out there should be in the same location.

We do have places of government. They
are called chapter houses. We need to make sure that our polling places for the state and the county and the chapters all coexist within that facility during the same day so we could all get a better voter turnout.

I think that the Navajo Nation does -- Navajo Nation as well as a lot of the other Indian tribes contribute a lot to the state of Arizona.

One of those things is through the transaction privilege tax. That's money taken off the reservation, taken down to Phoenix and is disbursed among the municipalities located down there. None of those monies come up.

Hopefully through our elections and our legislatures, those things will change in the near future.

Based on that, I, too, support both maps that are being presented, the legislature and the congressional maps.

I hope that they do remain intact. I do feel that they can do a little better by increasing the percentages from perhaps maybe 63 to 64 percent.

So that is my input.

Thank you very much.

CHAIRPERSON MATHIS: Thank you.
Our next speaker is Shaun Deschene, from Apache County.

SHAUN DESCHENE: Hi. My name is Shaun Deschene, and I am speaking as a citizen of the county.

First, I just wanted to say I appreciate the consideration of our input here in Window Rock and in this region by holding a meeting here, and I certainly don't mean to upset all of the work and thinking that has gone into the division of these maps to date, but I just wanted to ensure that we are considering -- that we are not omitting an important point. And that is --

Let me begin by saying that I am well aware of all of the criteria that needs to be addressed in the process and all of the issues associated with it and the deliberations to date. And I'm also well aware of what it takes to be selected as a representative.

And I just believe these districts that are purporting to -- that will purport to represent so many different tribes, yet due to the size and diversity of these districts, that it will offer little, if any, opportunity for a person from one of these tribes to be actually selected and as a
So I think the issues are -- you know, are in covering the cost of covering these districts during a campaign, which would be -- you know, the number of signs -- I mean, this is half of the state, is the Congressional District 1. Much it's just -- you're throwing in border communities with rural communities with a city -- one of three cities out of the state. It's just such a huge mix of people to cover.

And again, the cost of traversing that area in gas, number of newspapers to cover versus a small -- you know, and I understand the population reasons for choosing such small districts in Maricopa County, say, or anywhere else, but -- and then the most costly resource, that of time.

For someone to take the time that it's going to take to cover that immense region, I just don't know where any native out of, you know, the canyons of Havasupai have a fair chance of actually getting to know each of these communities and having a viable presence through their parades, through their meetings and city council meetings. I mean, there's just so many events that they would need to attend. I just find it very unlikely that they
would ever be elected.

And again, just to hone in on the different cultures that we are throwing together in this huge district, the culture of many different tribes.

I mean, yes, they are all tribes but very different cultures, very different groups of people, entirely different communities.

Border communities, urban versus rural, native versus nonnative. And then again, one of three of Arizona's cities.

So I'm not sure what the solution is, I know it just -- 17 districts in Maricopa County, I just feel like maybe one -- if there's any way to sliver out one of those to give us an extra district. A little bit more representation for this very diverse group of people that -- certainly folks in Greenlee deserve to be represented.

And the other point would be just really looking closely at, you know, voting-age population versus registered voters versus actual voters and that those numbers are very different.

I bring some comments from Chris Descheeni, entirely separate. But it speaks to the population versus registered voters versus actual
voters issue, and I'll leave those for you.

And that's -- you know, the bottom line is, to speak to the gentleman's comment before me, you have young voters here that are counted because they are going to be registered where their families are registered but they actually are attending school either in, again, one of the urban areas of Arizona so they don't really make it back to vote.

Different primary dates. Different general election poll locations. Again, this is just restating what the gentleman before me stated.

State ID requirement issues, voter information dissemination. The weather and poor road conditions. And again, that's just a factor of the distance that people need to get to the polling locations and then general welfare, in terms of their ability to get to a poll and to do that on the one date that's available for folks to vote.

So those are issues, and I'll leave that separate, but those are just some extra facts to consider.

Thanks so much for taking my comments.

CHAIRPERSON MATHIS: Thank you.

Let's see. Our next speaker is Kimmeth Yazzie, representing Navajo Nation Election
Administration in Window Rock.

KIMMETH YAZZIE: Good afternoon.

My name is Kimmeth Yazzie, no Ken. It's K-i-m-m-e-t-h, Y-a-z-z-i-e.

I work for Navajo Nation Administration. I've been there for a while, 30 years. And my job is to work with -- part of my job is to work with the counties, the states, and the federal government regarding Navajo Nation elections and voter registration and that basically has to do with elections.

And I know Mr. Kanefield here. He used to be director at the Secretary of State's office. It's good to see you again.

I just want to thank you guys for coming up here to Navajo Nation to give us an opportunity to present testimony on behalf of the Navajo people. And I gave a copy of the testimony which I gave to her, so I would like to go ahead and read from this.

My testimony is going to be regarding elections, voter registration, community of interest.

The congressional districts voting-age threshold of 16 percent, that's what's required but
ours is beyond that for Native American at 20 percent.

Then also the legislative district voting-age threshold of 59 percent but Native Americans are at 62 percent.

Okay. And the reasons why I think that we should keep the threshold levels above the state averages are --

Okay. Native American were not granted the right to citizenship until 1924 and they weren't granted the right to vote until 1948. But this doesn't mean that there's no challenges.

There are still disparities regarding Native American's ability to fully exercise the right to vote.

Native Americans still receive inadequate services from county, state, and federal government because they are poorly represented at all levels of government.

New issues that reach the Navajo reservation are old issues in urban America. We had everything too late because of communication gap, technology gap.

Tribal leaders and tribal elders, they work relentlessly to keep up with the rest of the
world, but because of lack of services and lack of 
communication from other levels, they are still 
living in substandard conditions. Redistricting is 
one tool that we can use to keep Native American 
close in the race.

The Voting Rights Act was renewed in 2006 
and yet the Arizona Attorney General is challenging 
the validity of preclearance provisions, Section 5. 
It's ironic how his action -- like his is what 
placed Section 5 in the books in the first place for 
the state of Arizona. It's like he's fighting the 
same issue that put the whole Section 5 into effect.

Voter identification issues targeting 
Native Americans.

The state of Arizona has been diligently 
pursuing the full coverage of the voter 
identification issues on its constituents. The main 
intent of this legislation is to deter voting fraud 
and to stop election participation of illegal 
immigrants.

There has never been evidence of 
extensive voter fraud in the state or the Nation. 
The legislation only places an extra burden on 
Native American voters in particular.

Voter identification is a threatening
issue to the Native Americans. This legislation changed the way Native American votes at the poll. They are required to show additional specific types of identity to vote and this law only serves to increase voter frustrations among Native American.

Why is there an identification process at every turn? Identification is already provided at the voter registration process. Why have it again at the voting process? Why don't we just use the voter registration process and that be sufficient? And here you tell us that we need to identify ourselves again at the polls.

Native Americans in Arizona have become the unintended casualties as they struggle to find a way to comply with requirements intended for illegal immigration. In rural Arizona, where voter registration -- voter identification was not necessary on the Navajo Nation.

Native Americans should not be held accountable for someone else's problems. In Navajo, Certificate of Indian Blood, CIB and Family Cards are more valuable as a source of identification. A government issued census number is used as much as a Social Security card.

Locations to obtain voter identifications
are not readily available on the reservation as it is in urban areas. We can't just go down the street and get a voter ID because of the ruralness of our area.

Locations to obtain voter identification are not readily available. Other than -- other documents present the same problems of lack of proper identification. Extended family members reside in one household. And they often share a post office box. Only one person is usually the person that signs the contract for the post office boxes, but extended family members use it.

And when voter IDs is required, one of the things they ask for is proof of mailing address. But because you have six, seven people living in the same post office box, only one person is really the holder of that box. So it's really not a good idea to use that as an identification.

This is the same scenario with utility bills, too. The utility bills are not issued in all of the people that live at that one household. It's only issued to one person, the one paying the electricity bills.

So these lack of documents -- proper documentation for identification verification causes
eligible people to lose their voice in the election process.

The Navajo Nation lacks the process to produce these type of documents for people to register and to vote in the state of Arizona -- could use to vote in the state of Arizona.

For obvious reasons, Navajos do not have passports, which is one of the documents used for voter identification. Most of us don't leave the reservation.

And then eligible Navajos lose interest in the voting process when additional mandates are applied. In the end, the Navajos are not properly represented at the county, state, and federal government and illegal immigrants come to work in America, they don't come to vote.

And then another issue that I want to talk about is vote by mail, which is not a good option.

Voting by mail has become a popular trend in elections and this trend is not suitable for Native Americans. Most Native Americans who reside in rural locations receive mail only through post office boxes. Many Navajos don't check their mail on a daily or weekly basis. Many Navajos do not
even update their registration -- voter registration periodically and they still have old mailing addresses. They update their information only when they are told that their information is old.

Many correspondence from the county and the state and federal government are discarded upon receipt because traditional Navajos distrust the government.

And then also during this time the postal service and the post offices are facing cutbacks that drastically reduce the postal services, especially in rural America. Vote by mail is not a good option for Navajo Nation.

And then voting locations for Navajo Nation at county, state, and federal locations.

Sometime back the Navajo Nation changed its laws to have their election on the same day as the counties and the states, and that's the general election. We all vote on the same day in New Mexico, Arizona, Utah, Navajo Nation all vote on the same day in the general election. This has reduced some positive results because what we were going after was higher voter turnout, higher participation. And it has, for Navajo Nation, it has for the state, the county, the federal
elections.

But some polling locations, they have to visit two or more polling locations on the same day, which frustrates the voters.

For example, we have chapter houses. The local governments where chapter houses, Navajos register with chapter houses. But in the state election, the state or the county determines where Navajos vote, based on where they live. So if they describe the residence on a voter residence card, the county looks at it and they say, okay, this person will be voting in this district or this person will be voting in this district, based on where they live.

So a lot of times when a Navajo goes to vote at Fort Defiance to vote in the tribal elections, they do, but for state or county elections, they are sent somewhere else because the county says they have to vote somewhere else.

So a lot of times it's easier for counties and states to consider tribal boundaries rather than just saying, okay, you go here, you go there.

We have situations where people even vote in the wrong places. Voters vote at locations where
they are not represented, by school districts or by county precincts or anything.

I know situations where people vote in certain districts but that location is not representative to that person. They are represented by other people.

So these are some issues that we're facing on the reservation.

So a lot of times I think tribal boundaries makes it more convenient for a voter at the local level. So voting boundaries need to be reviewed and set according to tribal precincts.

Language assistance at poll locations.

A large percent of the Navajo Nation still converse in the Navajo language. As you are aware, the Navajo language was used proficiently in World War II and the Navajo language is still mostly unwritten.

There is limited literature in the Navajo language and it's hard to read to the average person. A lot of times people must take courses to read and write Navajo.

Many Navajos are also still unable to read and write the English language and lot of times they are provided with documents and they agree to
documents that are contrary to what is orally presented to them.

So a lot of time they sign away whatever, to vehicle dealers, this and that, when somebody tells them this is what you're signing. And because of that, there's distrust to the governments.

Proper language assistance is necessary at all levels of the government, both in Navajo and in English. The media is what we depend on but they cost a lot as well as far as communicating in our Native American. All of this plays a role in the Native Americans historically being the lowest rate of electoral participants.

Another thing that is a problem is a lot of Native American refuse to register to vote because they don't trust the services of our government. So something needs to happen there. And then of those that do register, only a small percentage of them vote. Not all of them.

Provisional balloting in state elections reduce the voter's participation even lower because of the stringent requirements.

Three counties in Arizona have significant number of Native Americans residing in them. These three counties are Apache, Navajo, and
Coconino have voting rights coordinators, they are called voting outreach coordinators and they provide language assistance.

The voting outreach program was established by consent decree. Although commendable efforts are being made by these voter outreach coordinators, the vast Navajo Nation still lacks sufficient services for voter registration and election matters.

The Navajo Nation has been requesting a state level Native American voting outreach coordinator to provide some state level services for our Native Americans.

In the end, a lot of the services that the government provides, whether they be at the county level or whether it be the state level or national level, it shouldn't be a problem because it's something that we are supposed to do in the first place any way.

And through my job with the Navajo Nation, I'm always stepping on somebody's toes because they think I'm looking over their shoulder, which is what basically it is. But to me, if a person is doing their job, why would I be looking over their shoulder?
I work with 11 counties in three states, and to tell you the truth, I got it cleared out a couple of times out of these offices because I get on their case and because I step on their toes. But I always tell them if you guys do your job in the first place and do it right, why would I be here? So any way, that fight continues.

So Native American need these numbers and sufficient voting blocks in the legislative and congressional districts and also local districts to elect Native Americans into office to fairly represent us to continue thriving in the county at the state and national level.

Thank you.

CHAIRPERSON MATHIS: Thank you.

I just would like to check on our court reporter and see if you need a little break.

You're okay?

Okay. We have four more request to speak forms, and we'll keep going, then.

And the next speaker is Michelle Begay, representing self from Navajo Nation.

MICHELLE BEGAY: Good afternoon.

My name is Michelle Begay, and that's M-i-c-h-e-l-l-e, B-e-g-a-y.
I work as an attorney at the Navajo Nation Department of Justice, and I'm also an Arizona voter and have been registered in Navajo County.

First of all, I would like to thank the Arizona Independent Redistricting Commission on all of its hard work in creating these maps, especially with all of the difficult standards that you have to comply with in creating the Arizona congressional and legislative district maps.

The redistricting is very important to the Navajo Nation so that it be properly represented by its elected officials.

And in order for Native American to be able to elect a representative of their choice, it's also very important within this legislative district, it's important that there be a Native American voting-age population of at least 62 percent where the Navajo Nation is located.

The current draft map, the Navajo Nation is located within LD 7 and this draft map recognizes the importance of maintaining a majority-minority district. And this is in compliance with the Voting Rights Act, Section 5.

In addition, the congressional draft map
does include a large population of Arizona; however, while the tribes may have very diverse cultural and diverse cultural beliefs, they also have common interests in regard to their economic and natural resources development.

I believe that the congressional draft map is an improvement from the current map because it does increase the Native American voting-age population from 16 to 20.5 percent, and this ensures -- protects the Navajo Nation's voting rights in Arizona.

These maps not only comply with the Voting Rights Act of 1965 but also with the United States Constitution and the Arizona Constitution. And therefore, I support the draft maps that the Arizona Independent Redistricting Commission has worked hard to produce.

Thank you.

CHAIRPERSON MATHIS: Thank you very much. Our next speaker is Ivan Becenti, you can correct me when you come up, representing Navajo Nation Tribal Ranches.

IVAN BECENTI: Good afternoon. My name is Ivan Becenti, spelled I-v-a-n, B-e-c-e-n-t-i. And welcome to Window Rock. And usually
we identify ourselves in Navajo. (Speaking in native tongue). So that's who I am. And I do work for the Navajo Nation Department of Agriculture as acting ranch manager -- tribal ranch manager.

Under the Department of Agriculture, we oversee -- the majority of the agriculture here on the Navajo reservation, whether it's farms or ranches, and we have various programs under our department and we have the grazing management, the veterinarian program, and a lot of the extension agents we have throughout our Navajo Nation at all five different agencies and then also the tribal ranch program, which I manage at this time.

And in light of the population growth on the Navajo land and the efforts between -- by the Navajo government to reclaim lands that were, unfortunately, lost, Navajo Nation made a deliberate effort to purchase lands on and off the Navajo reservation.

Navajo Nation has three major ranches adjacent to an -- in the northern region of Arizona, and one being the Big Boquillas Ranch, which is the largest ranch in Arizona. And we do own Big Boquillas and it's commonly known as Big Boq, which
is located north of Seligman and it butts up right against the city limits there and is adjacent to the Hualapai nation and borders the Havasupai nation on the north side.

And Big Boquillas is about 790,000 acres. It's a big piece of property and we definitely use that primarily for grazing, for cattle. And that was purchased early in the 1990s.

And the second ranch, which is the Winslow tract, again, also butts up against the city of Winslow and covers the area north, northeast, and east of the city of Winslow.

Hopi Ranch Lands is also located to the south, southwest, and west of Winslow. And the acreage on Winslow tract is 173,457 acres. And then again, that is also used for cattle grazing.

And the third ranch that we have is called the Espil Ranch, also known as the peaks range allotment, and that's an allotment that we do graze on. And we do have properties within that allotment which gives us full rights to go ahead and use the U.S. Forest Services grazing allotment.

And it also envelops the Navajo and other Indigenous people's sacred site, which is the San Francisco Peak, which had been presented to you
earlier.

The grazing allotment is about 153,000 acres and primarily used for grazing.

In addition, the Navajo Nation owns private land on that south side of the San Francisco Peak, which is in the Schultz area. And on this map, I don't know if you guys can see it, but the northwest corner of this map, you'll see various colors, those are the pastures that we currently utilize.

And we do have a cattle association that's on there right now to graze their cattle. And it varies from year to year, depending on the range assessments that are done on how many head of cattle can go there.

Now, the allotment does include all of the yellow areas, all the way down to the south bordering right up into town there, then onto the east and west side of it. Snowbowl is within that. Then up along Highway 89 and up in this far right corner, upper-right hand corner is Dove Tanks.

So within that whole yellow area, we can utilize that. But we can't at this point because of the infrastructure, such as the fencing and the water development, is one of the biggest issues. In
order to graze cattle on those yellow properties, we definitely got to develop some water resources on there, whether it be windmills, well drilling, extensions of water lines.

So -- but that does include -- that is included within our whole peaks allotment.

Okay. But in conclusion, when I review the Arizona congressional and legislative redistricting maps, the Independent Redistricting Commission did include Navajo’s ranch land in the district that the Navajo trust land is located. It is important that as fee landowners, Navajo, we as a program, do pay taxes to the counties and to the State.

And in light of the state regulations applying to fee lands, it is proper and important that Navajo ranch lands be in both the congressional district and the Legislative District 1.

Thank you.

COMMISSIONER MCNULTY: Mr. Becenti, could you just put that map in context for us? Where is that in relationship to the peaks? And is that all forest service allotment or is that private land? Just generally.

IVAN BECENTI: Okay. I don't know if you
need me to talk in the mic, but right here is the
top of the peaks.

COMMISSIONER MCNULTY: He's going to give
you a mic.

IVAN BECENTI: Okay. If you see here
right in this area that I'm pointing to, that's the
very top of -- near the top of the peaks and the
surrounding areas of the peak itself.

But properties that we have, the Navajo
fee land, is right off of Highway 89 right here and
also within this area here.

And there's another map on this side but
it doesn't show where the ranch house is and also
the portion that we do own. But it's within that
allotment, which gives us -- we have a permit with
the U.S. Forest Service to graze that property.

And the majority, like I said earlier,
these colored areas are where the cattle graze right
now, and that is what the agreement is between us
and the forest service, until all of these areas
have been developed for water infrastructure and
fencing improvement. And after that is done, then
we have to go through an (inaudible) study and to
make sure that we can go forward and design a
grazing rotation within those pastures.
So if you just see this map, they are district -- there are boundaries to each of these pastures and they do have their own pasture names. Okay?

COMMISSIONER MCNULTY: Thank you.

CHAIRPERSON MATHIS: And can we get a copy of the peaks grazing allotment map?

IVAN BECENTI: Sure.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Wava White, representing Navajo Nation Division of Economic Development, Window Rock.

WAVA WHITE: My name is Wava White, W-a-v-a, W-h-i-t-e.

I am an economic development specialist here with the Navajo Nation Division of Economic Development.

I would -- I am going to speak to the economic impact and how we collaborate and work together with some of the border towns as far as developing the Navajo Nation as well as helping them to assist us in developing some of the lands that we have purchased and the Navajo fee lands, particularly in the Winslow area.

One of the issues that I wanted to make a
point and bring out is overall, these border towns use Navajo Nation data for funding for services, whether it be federal, state, local types of recruitment and securing funds. So it's not separated.

The bottom line is that the Navajo people are a Navajo consumer of each of these bordering towns, Winslow, Holbrook, and Flagstaff, and also Gallup.

We have a working relationship with the city of Winslow, just as my colleague spoke before, on the rank lands. There is different areas -- there's seven particular sites that have been purchased by the Navajo Nation in the Winslow area. Most recently was the Turquoise Ranch, which is over 300 acres that was purchased west of the city of Winslow.

Economically, we are trying to attract some industrial and commercial development. That is our primary emphasis as far as working with the city of Winslow to attract potential prospects to take advantage of these lands that are available.

Most of these lands were traded or they were purchased to accommodate to the Navajo/Hopi relocation relocatees, residents that were impacted
by relocation and were sent to the cities.

The Navajo Nation Division of Economic Development is collaborating with different programs within the Navajo Nation as well as the city of Winslow and the office of Navajo/Hopi Line Commission to develop these sites.

Therefore, there is potential for housing, community development, economic development, industrial, and commercial development within these border towns. That's why we -- it is attractive to us to how the Commission approved the congressional draft map to include these particular border town of Holbrook, Winslow, and Flagstaff.

Also, I just wanted to point out that the overall data used in -- even with the small business administration, other examples are with the Northern Pioneer College, different colleges and universities, they use Navajo data as far as getting information together for their services and recruitment. That's why the bottom line is that the Navajo people are the ultimate consumer of these border towns, and we appreciate the attractiveness of how the congressional and legislative maps were developed so that we could collaborate and work together.
We are not going away. We are not -- the Navajo people has the interest of even buy additional fee lands to develop in these areas.

Recently we are in the process of developing the Twin Arrows Casino between Winslow and Flagstaff with a major economic impact that will help the growth of Flagstaff, Winslow, and Holbrook.

Overall, economically -- the attractiveness of the congressional and legislative map provides opportunity to continue to collaborate with these three towns as far as Flagstaff, Winslow, and Holbrook are concerned and to recruit and provide the data and the necessary information to continue to provide the necessary services to secure development for industrial, commercial, small business, and energy-related prospects.

With that, I thank you for having your meeting here in Window Rock and we look forward to the next step in your work.

Thank you.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Nami or Naomi White, representing self from Navajo Nation.

You can tell us which.

NAOMI WHITE: Thank you, Madame Chair.
It's Naomi, N-a-o-m-i, last name is White,
W-h-i-t-e, and I am -- my statement is going to
represent myself and also the Human Rights
Commission.

First of all, the Navajo Nation Human
Rights Commission provides the following comments
regarding the legislative districts proposed by
Flagstaff and the statements made by Kevin Burke,
the Flagstaff city manager at the redistricting
public hearing held on Thursday, October 13th, 2011.

First of all, I would like to note one
error on the document he provided regarding south of
Payson. And in there, there's a note that the
population, 2,170 supposed to go to LD 7 is an
error. The map shows that the population shift was
supposed to be put into LD 23.

Secondly, the census blocks that he
referredenced gave the example of the population as
1,616, 668, and 353. On the map that's titled
Timberline area, however, those populations are not
reflective of actual census block. I think they are
populations that are within the census block. Our
data shows that the population is actually
significantly higher within those areas. So I would
just like to point that out.
Third, there is a proposal to move populations out of the Show Low area into Legislative District 6 from Legislative District 7. If that occurs, then the population shift will reduce the Native American voting-age population below 58 percent, which that's not going to be acceptable. We want to maintain the Legislative District 7 Native American voting-age population as is or even exceed that where possible, maybe even up to, like, the previous gentleman said, up to 64 percent.

And also the Navajo Human Rights Commission has not been able to evaluate the request of moving the Timberline and the Fernwood area because we don't have the shape files to do so.

As for myself, I would just like to speak to the topics that impact Navajo Nation and Navajo Nation voters and also regarding the similar policies that the Indigenous nations within our congressional and our legislative district and throughout the state that we face -- that are similar to each other. And also I would like to speak with regard to the voter identification requirement.

First of all, some of the factors that
contribute to voter performance and also turnout of
the public is similar to the circumstances that we
face here.

There's not a significant public turnout
here primarily due to the fact of the lack of
technology.

While the redistricting updates are great
that they are online, a lot of the population of the
Navajo Nation does not have access to Internet.
You're in Window Rock right now, which is the hub of
the Navajo Nation and I would guess that a lot of
people here don't have access to Internet either.

There's few places that have free
Internet access. There's basically no coffee shops
that provide Internet access or book stores or any
gathering spots similar where you would find in a
bigger city such as Flagstaff or Phoenix or even in
Winslow or Holbrook. That just doesn't exist.

We have one newspaper, which is the
Navajo Times, and that's only published weekly. And
for those people who are able to buy the newspaper,
the information is slow to alert the public on
fast-moving issues such as this.

And also a lot of our people are not able
to read English or speak English. Navajo Nation in
the isolated areas, we predominantly -- excuse me, the Navajo people in the isolated areas speak predominantly Navajo. And that is a problem for the newspapers because newspapers, for the large part, are not published in Navajo.

Similar to the voting pamphlets that are held -- that are distributed, the brochures, the campaign signs, a lot of those materials are not provided in Navajo to the voters who live in the isolated areas.

Also with regard to the photo identification requirement, as it relates to discrimination, in effect requiring voter identification -- photo identification has a discriminatory impact on the elders of the Navajo and also on the Indigenous people who may have not been born at a hospital, who may not have a current utility bill or phone bill because they don't have electricity at their home and they don't have water at their home and they don't have phones at their home.

And frankly, I'm speaking on behalf of my grandparents. They live in White Cone, Arizona, and they don't have running water and they don't have access to phones all the time and they got
electricity only a few years ago. And that's in the current age in the 2000s.

So I know a lot of elders and people who are not -- who are not -- who don't live in the cities and who don't live in larger communities, there is only, you know, one house or two houses within a community and they are spread miles apart. And those are the voters that we are concerned about and also we're concerned about the native voting-age population overall.

And additionally, there's another example. When I was a student at ASU law school, our Indian legal clinic helped an elderly grandmother who lived here in Navajo Nation. Her name was Agnes Lefter (phonetic) and she was denied the right to vote because she did not have a photo identification.

And that's only one example of discrimination. And that occurred around two thousand -- around the year of 2010 or prior to that. I think around 2008. So that was only five years ago.

So discrimination still does exist in Arizona. It may not exist in the form of literary test, it may not exist in the form of having an
overt demonstration of the understanding of English from our voters, but it does exist in other forms. And also -- it also exists probably in new forms that we're unaware of at this point.

Third, I would like to talk about the similar policies that tribes face.

While it's true that a lot of Indian nations are adverse to each other on some issues with regard to things like water or energy, while we're adverse and take different positions because each tribe is different, overall, we're within the federal structure of a relationship with the United States.

We have a relationship with the state that's distinct from other populations within the state due to the fact that Indian nations are sovereign entities and we have sovereign governments. And we are not cookie-cutter government that operate at the long arm of the federal government.

Each tribal council is different. They vote on their issues differently. They have different interests.

But that's not to say that because we have different interests we should not have a strong
Native American voting-age population within the same district.

The voters will -- the voters should be able to have a chance to vote on a candidate of their choice, regardless of how the governments are structured and regardless of how different tribal councils treat separate interests.

We're working on behalf of the people, and the people have the right to select a candidate who they choose. And we do not want the voting-age population to be reduced below 62 percent, because in the year 2000 at the last redistricting occurrence, the voting-age population for Navajos -- or for Native American was around 70 percent and now it's at 62 percent. We just don't want that to go lower.

And as a voter in Arizona, I don't want that to go lower. I want to be part of a district where the voting-age population is such that I am able to elect a candidate of my choice. And I would like the same in the years to come for my son.

Lastly, I would like to talk about the border towns, Winslow, Holbrook, and Flagstaff.

The Navajo Nation has had a history of Human Rights violations with regard to sacred sites,
with regard to water, with regard to energy, and also with regard to forestry location, and this has happened throughout the history of the Navajo Nation, and it's happened most currently with the Navajo/Hopi land dispute where Navajo people were displaced from where their families have always lived and has always grazed and where people have lived upon generations.

They were relocated to border town such as Winslow and around the Holbrook area and also around the Flagstaff area where they now have to uproot and create a new life for their children and for their grandchildren.

And our concern is to also protect those voters as well because for all of their lives and all of their generations, they lived on the Navajo Nation and now they are off Navajo Nation and we would like them to have a say in the state process as well and in the federal process.

Thank you.

CHAIRPERSON MATHIS: Thank you.

So that's 3:15 p.m., and I'm wondering if Michelle would like a little break.

How about we take a ten-minute recess and we'll come back in a few minutes.
Thank you.

(A recess was taken from 3:15 p.m. to 3:32 p.)

CHAIRPERSON MATHIS: Okay. Recess is over. We'll enter back into public session. The time is 3:32 Window Rock time, 2:32 Mountain Standard Time, and we are in the midst of public comment, receiving input on our draft maps for both congressional and legislative districts.

Our next speaker is Margie Begay, representing Tsaile/Wheatfields.

Am I saying that right?

We'll come back if she just stepped out.

How about Lauren Bernally, representing self from Apache County.

LAUREN BERNALLY: Good afternoon, commissioners, Madame Chair and Commissioner McNulty.

I just want to thank you guys. You've done an admirable job with respect to bringing this process as far as it has come.

I'm speaking from -- on behalf of myself. I come from an area -- my family comes from an area in Chinle, Black Mountain area, very isolated area. And I wanted to talk a little bit with respect to my
experience when I decided to change residency from New Mexico to Arizona and the problems that I had with my -- with getting myself registered as a voter.

Gallup, New Mexico, is a border town that serves our area in this region. It's a huge border town. It's commonly known as the Indian capital of the world.

And in Gallup there is also a huge, what we call flea market there. And the back of ten years ago in the election I had gone over to register. I was there walking and I was accosted by two individuals who were -- had a booth there and they said they were registering people.

And I said I'm a resident of Arizona and they said, no, we're doing Arizona and New Mexico.

And yes, indeed, they pulled out forms from Arizona and I registered as a Democrat.

I kept waiting for my voting card to come in and it never did come in. So I followed up with Apache County and they said they didn't have any information. And I explained to them where I had registered and they told me that that site was not a legitimate site and that there were a lot of complaints that had come from Navajo borders who
frequent the flea market there, that people had registered and they never got their cards.

I subsequently also registered again -- and I didn't indicate, my name is Lauren Bernally. It's B-e-r-n-a-l-l-y.

There are many Benallys on the Navajo Nation. And my father, bless his heart, he had a Navajo name. And when he served in World War II, they changed his name to Bernally. It's an Italian name.

So when anyone says I'm a Bernally, I say, oh, you might be one of my family members. But our name is unique.

And so subsequently, my voting card came back as Lauren Benally and I was denied my vote. When I came to vote, I was told I couldn't vote because of that error in my card.

And I knew it was wrong. I said this is not right and I need to change it but I didn't have the time to change it. So I was, again, denied my right to vote.

Subsequently, now I am back in New Mexico. I live right on the border and I still have a post office box. 3,000 Window Rock, Arizona. And I was going back and forth and finally New Mexico
said why don't you just register on this side. So I did, but I still have an Arizona address.

I just want the Commission to be aware of these types of situations that many of our Navajo people are confronted with and many will not be persistent as they are as I was.

With respect to our maps, I share in the support, as many have spoken, about CD 1. And as I indicated, I still have a great interest in Arizona. I do believe that CD 1 offers a community of interest.

And I want to echo some of the things that we have heard in the past or through the hearings, is that Indian nation, Indigenous peoples, have a lifeway that is very common.

Contrary to what was said earlier, there are differences, we are distinct in our languages, yes, but we do have beliefs that tie us to this earth, that tie us to the skies, that tie us to the metaphysics of this world, contrary to some other peoples.

We also have a common bound, a common interest that bounds us with our natural resources.

Moreover, we heard that many of our peoples intermarry. We have many Navajos that have
married into the Hopi Nation, into the San Carlos and White Mountain Apache Nation. And they all seem to have a same relationship that we have.

We also are affected by common social, political, and economic barriers that I believe that in terms of electing a candidate of my choice, this individual would be able to recognize these barriers that confront Indian people.

I remember -- I recall when I was down at Tucson, I heard an individual talking about the vastness of this CD 1 covering three borderlines, the northern, the eastern, and the southern borderline. And this individual made the comment that whoever is going to serve in this district is going to travel 45,000 miles a year.

I chuckled and I thought that's nothing to a Navajo citizen. We cover 65 to 70,000 miles a year on our vehicles. And we have trucks, big trucks that we have to carry, haul water, we have livestock, and I thought that's nothing.

Well, it's about time. Maybe a candidate is going to realize what it is to live in a real rural area. Those are the barriers that our people face.

With respect to LD 7, I really like the
62 percent voting-age population. I also want to
just comment a little bit that again, in previous
remarks made by other individuals, I get the sense
that some peoples believe that they cannot be
represented by an Indigenous person. I feel
offended about that.

I believe that native people are moving
forward. We have very highly intelligent
individuals that are out here on the Navajo Nation
and the Apache Nation, Havasupai, that are making
great strides for their people. And I deplore any
comments that kind of allude to the fact that the
government is dictating these maps through our
people on how they are going to be drawn.

I support the way LD 7 is drawn at this
point. And I also believe that as people have
coinced the term, the greater Flagstaff area, well,
the Navajo Nation also has a greater Navajo Nation
area. That area encompasses the peaks, Big
Boquillas, and as I said, we do have a common
interest that extends all the way down to San Carlos
and Greenlee County.

We do have sacred sites in those areas.
Many of our traditional Navajos many years ago
worked down in that area and established -- there
were sites down there.

That concludes my presentation.

Thank you again.

CHAIRPERSON MATHIS: Thank you very much.

Our next speaker is Leonard Gorman, Executive Director for Navajo Nation Human Rights Commission from Window Rock.

LEONARD GORMAN: Good afternoon, members of the Commission. Madame Chair Mathis, Commissioner McNulty. Welcome to Window Rock.

First, I want to introduce myself to the listeners, those that are on the Internet and also those that are in the audience and then we'll talk about the Navajo Nation's principles and then the maps and provide some comments about perhaps some of the issues that continue to linger as you go throughout the state of Arizona.

First as my introduction (speaking in native tongue.)

As a Navajo person, we commonly -- as protocol, introducing ourselves in our respective language and also identify our maternal and paternal clans.

I'm a citizen of the Navajo Nation first and then I'm also a citizen of the state of Arizona.
and also a citizen of the United States of America.

And I have the responsibility as the Executive Director of the Navajo Nation Human Rights Commission to advocate on behalf of rights of Navajo people. Rights that range from voting to rights that range from having attachments, imprints, to land, cultures that have cross-cutting effects in today's society and also cross-cutting effects in the rural community that we all live in.

So that's my responsibility and the team of my staff have those responsibilities along with the Commission.

Part of our office's responsibility has been to work with the states of Arizona, New Mexico, and Utah to develop maps that are in the best interest of Navajo voters in which it protects the rights of Navajo voters.

So Navajo Nation established principles in which would guide us through this whole process of ensuring that these rights are protected.

And as you're well aware, Navajo Nation has appeared at many of your meetings, variety of places of which you have conducted your meetings across the state of Arizona, and hopefully that we will have also the opportunity to appear before you
throughout the course of the next couple of weeks
and plan to be a part of your discussions as you
deliberate the final map that's going to be
submitted for preclearance.

And we certainly don't hope to be a party
in the last phase of what I believe has been in the
past ten years ago, the litigation phase and hope
that we will be able to avoid those circumstances.

And as a Voting Rights Act as a principle
of the Navajo Nation's Human Rights Commission's
effort, our intention is to ensure that you produce
a map that not only satisfies the Voting Rights Act
as a threshold number for both the congressional and
legislative maps, but also make every effort and
present all of those opportunities that come to you
and requesting to have you prove those opportunities
and incorporate those opportunities into the maps.

And we've made the effort to have people
speak to you today about the challenges that the
Navajo people face as a voter of the state of
Arizona.

And I think that requires that you sit
down and address the minimum threshold of the
58.99 percent to be increased beyond the current
61.9 percent that is in the legislative map. And
there are a tremendous need and justification to accomplish that.

That has been our number one goal and we have presented that to you numerous times, that the Navajo Nation's goal is to ensure that the Voting Rights Act is complied with.

The second principle is the community of interest.

Predominantly there are -- a significant amount of land base in the state of Arizona in which they are set aside as reservations.

As I understand it, a quarter of the land base in the state of Arizona are designated as trust lands for Native Americans. However, we make 4.8 percent of the total population in the last 20 years.

So we've requested of you not to split those reservations among several districts. We've requested you to ensure that those reservation lands are whole in a single district.

A part of the community of interest has been ranch lands. The Navajo Nation owns a variety of ranches outside the Navajo Nation and specifically in the state of Arizona.

It has been explained to you through the
course of this afternoon that there are specific
intentions of the Navajo Nation government to ensure
that those lands are put to better use for the
betterment of the Navajo people.

These ranch lands are intended to ensure
that Navajo cultural properties will continue to be
protected, preserved from the perspective of sacred
sites, to ensure that there's accommodation of
land-use areas in which Navajo has continued to
foster its relationship with the livestock, cattle,
horses, sheep as the Navajo people is growing in
numbers.

Part of the opportunity also is to ensure
that there are economic development corridors.
Interstate 40 is a very prominent artery of
transportation for economic development around the
Navajo Nation and southern part. Interstate 40 also
goes across the Navajo Nation lands.

So as it was explained to you earlier,
Navajo Nation is very strategically placing
businesses in which there would be opportunities
derived from those and Navajo people to benefit.

Finally, the community of interest
aspect, sacred sites.

Sacred sites is a common thread among
Indigenous peoples not only in the state of Arizona but also in the United States of America and the world.

It is a principle and cultural integrity aspect in which it connects Indigenous peoples. Unlike other peoples of the world, the Navajo Nation has managed to ensure that the United States government supports the declaration called the Indian Declaration of Rights of Indigenous Peoples, in which there are plenty of iterations that provide for the need to recognize these rights.

So as has been stated before, and you will hear many more times, the Navajo people have identified specific places that are identified as sacred sites. Those need to be specifically protected.

And finally, the other principle has been that the first iteration that we had presented to you a couple of months ago, that -- those Indigenous nations that we indicated to be in our district at that time continue to be in the district that you adopt as a draft map plus as a map that you intend to be precleared and also to be used in the future for the next ten years. Those have been our principles.
You have heard many a times the competitiveness is a part of the review and a necessity to ensure that there be competitive districts in the state of Arizona congressionally and also legislatively.

Navajo Nation has many a times indicated to you that if there were intentions to implement competitiveness on the Navajo Nation, you would be faced to split the Navajo Nation into segments.

From our office, we have ran maps to determine if and ever that you were to embark upon splitting the Navajo Nation, the Navajo people would be disenfranchised. It would not have the opportunity to elect a Navajo person to represent them again.

You will find yourselves in a situation and we will find the Navajo voters in a situation in which the highest number of Native American voting age will be around 25 to 30 percent. That is definitely something that we will be having very, very strong concerns about.

In regards to the maps that have been published as draft maps, the Navajo Nation has been provided iterations, two maps for the congressional one. We labeled them as Indian 1 and also Indian 2.
In Indian 1, we had noted it to be a dream map. It is an opportunity to which there would be a majority-minority district -- Congressional district in which the voting-age population in that district would predominantly be minorities.

Some of it was coming from Native American voting-age population and the other would be coming from the Hispanic voting-age population.

However, both maps, the Indian 1 and Indian 2, have been an integral part of your work. And we find that a substantial part of Congressional District 1 that you adopted as a draft map contains Navajo Nation's recommendations.

The Navajo Nation, both times in both maps, had made a recommendation to you to include the Gila River Indian Nation, and you have accomplished that. You included the Gila Indian River Nation.

And we have also made the indication in our Indian 1 to include the Cochise County. And realizing that there's a penalty of compromise to be had in the development of these maps, we appreciate the opportunity in which you have presented in a map that takes on and incorporates the Navajo Nation's
recommendations.

Thank you very much.

Our threshold has been 16.8 percent Native American voting-age population as we started. You've accomplished a threshold now that exceeds that 16.8 percent. The map that you have presented to us 20.5 Native American voting-age population. That is absolutely good.

With regards to the legislative district map, the Navajo Nation submitted a map that comprised of a number of Indigenous nations, principally the Navajo Nation, the Hopi Nation, and the White Mountain Apache Nation, the San Carlos Apache Nation, the Havasupai Nation, the Hualapai Nation, the Kaibab Nation.

And we have presented an iteration in which there is a substantial Native American voting-age population. And the voting-age population in which we accomplished is 62.5 percent.

And in development of these maps in seeking input and comments, the Navajo Nation took on presentations throughout the state of Arizona.

We had an opportunity to meet with numerous people from different backgrounds. We've met with Indigenous leaders, Indigenous nations, and
we made presentations.

Of all of the times we've made presentations, particularly to Indigenous leaders, we did not receive any opposition to the maps that we have shared with you.

Certainly we've received comments about how Navajo Nation has taken a lot of lead in a variety of issues. And Navajo tends to be a principle in pushing the issues policy-wise, politically-wise. And we have no doubt that our efforts will continue in the future in the same manner that we have done before.

And for the legislative district, as you know and we know, the threshold has been 58.9 percent. And we have indicated to you that competitiveness is not a priority for the Navajo Nation. You have accomplished a 61.9 percent Native American voting-age population in the draft map that you have shared with the communities throughout the state of Arizona.

As I mentioned before, the Navajo Nation has submitted a map that illustrated 62.54 percent Native American voting-age population.

I think you have made significant effort and accomplished feats in which you are on the right
track. You're in the right direction to meet a
threshold that the Navajo people believe is the
proper standard, assessing the voting-performance
number.

You are receiving multiple, multiple
requests in how to tweak, which community needs to
be taken or arranged in a manner and which it would
be benefiting for their community of interests.

We have made many compromises throughout
the course of the several months. The latest
meeting that we have had was with the City of
Flagstaff, as we talked about the CD 1 and also LD
7.

Specifically with LD 1 -- I mean CD 1, we
have both come in and presented to you, the City of
Flagstaff and communities around the city of
Flagstaff and the Navajo Nation share a common
interest, economic-wise, transportation-wise and we
share a community of interest and made the request
that Flagstaff be in a congressional district that
the Navajo Nation is located in. You've done that.

Thank you very much for providing that
opportunity.

With the legislative district, again, we
have made compromises. We have -- people have asked
the Navajo Nation to be flexible, to be understanding. And from my office, we believe we have done that.

We have been understanding and have approached parties that have expressed interests in our maps to make amendments. And we have done that.

We sat down again with the City of Flagstaff and we talked about having to adjust our first map, the legislative map.

Our proposal was to pick up areas in which in the city of Flagstaff where there are high-level, high number of Native American population.

We have agreed to take out the entire incorporated areas of the city of Flagstaff from the Navajo Nation. We have also agreed to take out Doney Park northeast of the city of Flagstaff. We also agreed to take out Ford Valley, northwest of the city of Flagstaff. We have compromised.

Furthermore, we have compromised to take out the area between Big Boquillas Ranch and the city of Flagstaff and the area that goes up to the southern part of the Grand Canyon. We have agreed to do that.

However, there are elements in which
there are concerns as has been provided to you and we repeatedly made the point that Navajo Nation and the greater areas in the state of Arizona has interests. It has interests by purchasing lands. No doubt the Navajo Nation wants those ranch lands to be in a district that the trust land is located in. And you have also accomplished that very well.

I think in the tweaking that you are going to be requested to make, certainly there are opportunities that still need to be had with the map that you have adopted as a draft map for the legislative -- for the legislature.

We look forward to having the correspondence as we have done in the past couple of months. You have listened to us very well and we have made compromises to ensure that we go forward.

In the tweaking that you make, we request that wherever the tweaking you make, that it would give the opportunity to raise the Native American voting-age population.

I think there are plenty of ways to do that, and those requests that you have heard thus far and you will continue to hear those requests.

Navajo people live in a condition which it's always difficult with challenges on the voting
As you have heard and you will hear many more times in the future, that Indigenous peoples often distrust the government of the state of Arizona and also the United States of America. And that plays a very strong influence on Navajo voters and the conditions that exist on the grounds. As you've heard many a times, those conditions that people are facing, just to mention but a few.

Mail-in ballots don't work well on the Navajo Nation. While that is an opportunity that exists in which a Navajo voter does not have an opportunity -- does not have the challenge of coming up with an ID card, but voting -- mailing in your ballot is not an often relied-upon process.

The conditions on the roads oftentimes are very challenging. I hope that you will hear from another speaker that will talk about specifically those road conditions in which Navajos have to travel, on which Navajos have to travel in order to cast a ballot and also to carry out --- carrying on everyday life.

So from the Navajo Nation Human Rights Commission, in my conclusion, I believe you have an opportunity when you tweak these maps, the draft
maps or the legislative district, you have very,
very strong opportunity to raise the 61.9 percent
Native American voting age above 63 percent, based
on the iteration that we have presented to you and
what you incorporated into the legislative map.

And my final comment is in regards to
some of the requests and issues that have made for
the city of Flagstaff. Timberline area need to be
taken out of Legislative District 7. Concerns about
Schultz area.

The Schultz area, as you will see when
you study the Espil Ranch map, is at the southern
tip of Espil Ranch grazing area. And then you will
also find that the Timberline area is on the east
side of the Espil Ranch west of Highway 89 and that
we would have interests in the lower portion of that
area in which there are a significant number of
population figures. I believe it's over 180 people.

However, there's going to be some big
complications with that area, and that is the way
the census block is configured.

If there is an opportunity to pick up
those residential areas without having to draw a map
that goes into the grazing area, I think those are
some aspects that would work.
So thank you again, and the Navajo Nation has made many visits with you and also in our opinion you have incorporated a substantial portion of the recommendations that have come from the Navajo Nation.

Thank you very much.

CHAIRPERSON MATHIS: Thank you very much.

Our next speaker is Ray Barney, Navajo Division of Transportation from Window Rock.

RAY BARNEY: Good afternoon.

My name is Ray Barney. I'm one of the program managers under the Navajo Nation Division of Transportation.

I'm just going to have -- make a little insight on some of the statistics we have on the Navajo Nation in regards to roads.

The Navajo Nation comprises of about 1400 700 road -- 14,700 roads on the Nation with 90 percent of that being unpaved and unimproved roads, which makes it pretty much difficult for the Navajo people.

Also the road conditions can also be very rough in coming in to conduct the daily life business, which also includes, you know, going to chapter meetings, planning meetings, or any
activities going on in the nation.

The lack of sufficient funding to address these roads on Navajo has been hampering the nation for quite some time.

As you know, any entity or nation always puts education as a priority, but I always say that there has to be a road that leads to a school facility. And we've been trying -- well, I've been trying to tell the chapters and entities, you know, that roads should be a priority anywhere.

With that, there's also -- the funding to improve roads is not always adequate, especially in remote areas where some clearances, environmental and archeology clearances are mandated.

And with that, there's a lot of art sites that are being discovered on the main roads, which hampers the realignment, which hampers that improvement on a lot of these roads.

And I just wanted to give you guys an insight on those conditions, especially during the -- also during the monsoon season when there are washouts and whatnot. Where it becomes -- that safety is a priority. Not voting for or going to an activity.

So with that, I thank you for your
patience and your -- I've been pretty much here for two hours, but thank you very much.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Kalvin White from Apache County, representing self.

KALVIN WHITE: Good afternoon.

My name is Kalvin White, and I'm a lifetime resident of the Navajo Nation. I come from a place called White Cone, Arizona. That's one of the last refuges of Navajo Nation -- Navajo/Hopi land dispute.

It was a struggle and challenge for our people when I was growing up and still is today. And I'm representing myself as a righteous voter in Arizona, on the Navajo Nation, as well as in the U.S. elections.

And I just came to voice my concern and reiterate support for the Arizona LD 7 and CD 1 maps that you have -- are contemplating and it is proposed before you.

I believe that with each of these two maps, there's a -- it would maintain a high percentage of Native American voting-age population, the percentage would go up.

There's a point from some of my peers
that have lost confidence in the right for Indians
to vote because of the -- I could say the lack of
really understanding of how important the vote is
into some of the state issues, some of the state
legislations as well as the federal.

And I believe with these two maps it
would give us a greater percentage of individuals of
Native American descent to really provide and become
more involved in the election process.

And also that these two boundaries, these
two maps, they include the San Francisco Peaks,
which is at our back door at White Cone, and I come
from a descendent of some traditional practitioners
and traditional healers. That's been the legacy of
our people there to practice traditional medicine
and to practice traditional teachings in our culture
to our children and our young people.

And with the two maps, it includes the
San Francisco Peaks as well as some other sacred
sites that we are very concerned about. And to the
effect that we want to have some of the legislature
-- legislation and legislators hear our concerns,
and I believe with the high percentage of the Native
American vote within the boundaries of these two
outlines in LD 7 and CD 1, it would capture that.
So I came to voice my concern in support of that, and that's all I have to say.

Thank you.

CHAIRPERSON MATHIS: Thank you very much.

Our next speaker is Phefelia Bradley, from Navajo Gaming Enterprise.

PHEFELIA BRADLEY: Good afternoon.

I wasn't sure if I should put my employer down or what have you, but I'm originally from Cant (phonetic), Arizona. I've been working up in the Window Rock area for the past 12 years.

Previous to my employment with the Navajo Nation Gaming Enterprise, I worked with the Navajo Nation counsel for a period of eight years.

I am a voter of the state of Arizona, the Navajo Nation, and the United States. I have been exercising my vote for the last 30 years.

And in reference to the hearing that is held today and comment period that is being provided and afforded, my understanding is that redistricting is technical, legal, and political.

And in reference to the maps that are being presented and the work and the incorporation of all of the recommendations that this body has received up to this point, I say you have done a
wonderful job.

I have seen the maps. I am in agreement. Taking a look at the maps, they serve in the best interest of our Native American population.

And I would just like to make that statement for the record, as an employee of the Navajo Nation Gaming Enterprise, the Navajo Nation has purchased 425 acres 25 miles east of Flagstaff, Arizona. That land has been put into trust by the Navajo Nation and has been approved by the Department of the Interior.

So the Navajo Nation at this point in time started moving ground two weeks ago as far as developing a casino resort operation 20 miles -- 25 miles east of Flagstaff. And so we are going to have a larger presence in that area of our Navajo Nation.

So thank you very much for your time.

CHAIRPERSON MATHIS: Thank you.

Do you mind spelling your name for the court reporter?

PHEFELIA BRADLEY: P, as in Paul, h, as in Henry, e, as in Ethel, f, as in Frank, e, as Ethel, l, as in Larry, i, as in Irene, and a, as in Arly.
CHAIRPERSON MATHIS: Thank you.

Our next speaker is Eric Descheenie, representing Office of the Speaker in Chinle, Arizona.

ERIC DESCHEENIE: Good afternoon.

My name is Eric Descheenie.

The way Mr. Gorman introduced himself, I'll do the same as customary within the Navajo people. (Speaking in native tongue).

What I said was for my clansmen, where I was from, Chinle.

I am here -- I'm here on behalf of myself and also as the speaker of the Navajo Nation Council, Johnny Naize. He wished he could be here. However, he has to be into the western side of the Navajo Nation meeting with some of the elder people at their request.

So he's aware that this is your second visit and he wished he could have been here to properly introduce himself and have spoken to you, but as you can imagine, Navajo Nation's demands are high, particularly with its people, the elderly.

So I do know that in my discussions with him, that he wants to reiterate the comments that Leonard Gorman, the Executive Director of the Navajo
Nation Human Rights Commission has said. So I wanted to bring that to your attention.

I'm going to pick up off of what Leonard Gorman said in a number of ways.

He mentioned his clans, and I'll tell you just a little bit of information about the clans because it goes directly related to the illustration I want to give to what the Navajo Nation position speaks to.

My first clan is (speaking in native tongue) which is the Pascua clan and there's other clans that are associated to that, one being the (speaking in native tongue).

And the Navajo Nation's position speaks to, as a lesser priority or a nonpriority when it comes to competitiveness. And the Nation, as Mr. Gorman said, we're definitely coming at this at an angle of community of interest.

And to kind of give you an idea as to what I do for a living, I've been blessed with the opportunity to advocate on behalf of the Navajo Nation Council to state matters, Arizona matters.

So I've been, I guess, a quasi lobbyist at the state legislature for three years now and working with the governor's office, both
Napolitano's and Brewer's.

On one of our trips, we met with one of our legislators, District 2, and it was an interesting dialog that we had on a particular issue that I won't mention, but he would have to go against the grain.

And I'm Republican, so -- registered voter Republican, and so I was -- it was interesting how I had kind of went through my own thoughts as we were speaking to the issue. And, of course, he was a Democrat.

And we joked with him. We said, we realize you're going against caucus. We realize you're going against the grain. There's consequences to that from a political standpoint. But remember this, I said, you're Navajo before you're a Democrat.

And he just kind of looked at us and said -- well, he didn't say anything but his eyes said a ton.

And another colleague of mine who was in the room who is (speaking in native tongue) in this particular legislator is (speaking in native tongue) and we're all brothers.

And this particular legislator is my big
brother, my clan. These relationships are there.

And so when I said, well, you're Navajo before you're Democrat and the other colleague joked and said well, you're also (speaking native tongue) before you're Navajo.

So here is the sequence of priority. Your kinship, who you are as (speaking in native tongue) and then whatever political affiliation you have and whatever.

So it really kind of illustrates the significance of where the Navajo Nation is coming from. Is -- you know, I know some of you represent the political Democratic party, some of you represent the Republican side, and, of course, there's an Independent representative as well.

The Navajo Nation exerts itself as one entity. And part of the Nation's priorities and positions is that we believe they we don't separate us.

I think we're in a unique position and an unadvantageous position that we don't have political parties because they do divide, as the case in point as to what happened on TV on C-SPAN and all of the other networks that you watch, how the vice of entity of parties are there.
And so by doing such would compromise who
we are as a people, how we identify with one
another.

And I hope my illustration, you take back
with you as to why -- where we come from. We
don't -- we know we have to play the game of
politics that exists. It's very much alive and
well, but when it comes to representing our people,
not only just for Navajos but also for Native
American people, be it Hopi, be it San Carlos, be it
White Mountain Apache, these people, we have an
understanding with and we don't approach matters
from a political standpoint.

We approach them in a genuine humane way
of saying this is who we are and this is how we're
going to profess ourselves. And again, it's not
from that competitive edge.

So, you know, when you begin to discuss
matters with Flagstaff, of course, that's a major
significant issue for us with the peaks. From an
Indigenous Navajo standpoint, the peaks is part of
our family. So to divide us is problematic.

So I hope this kind of begins to humanize
and kind of give you more of a vantage point as to
where we're coming from and a vantage point of where
the Navajo Nation as a government is coming from and
also from myself as well.

   So thank you very much.

CHAIRPERSON MATHIS: Thank you.

And do you mind spelling your name for
our court reporter?

ERIC DESCHEENIE: First name is Eric, E-r-i-c, no k. Last name is spelled D, as in dog, e-s-c-h-e-e-n-i-e.

   And I am not related to Chris Descheenie.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Jarvis Williams,
representing the Kayenta chapter from Navajo County.

JARVIS WILLIAMS: Hi. Good afternoon.

Yá’át’ééh.

My name is Jarvis Williams. As Eric mentioned before, I'll introduce myself for my friends as well. (Speaking in native tongue.)

   And as I indicated on the paper there, I am from Kayenta, which is probably just about two hours from here. Close to the corner of the state.

   I'm a registered voter with the Kayenta area in Navajo County. I do vote at all of the elections, the state and federal and Navajo elections as well.
And I want to say thank you for your second trip here. It's really neat to see you all here. We normally see you on TV or read about you in the paper. So -- and about the squabbles you're having with the governor and the Attorney General.

But we really appreciate you being here and we appreciate you taking the time to listen to our concerns in this portion of the state.

I wanted to also express my appreciation for adopting a lot of the plans that our Navajo group had presented to you all. And I wanted to really -- I wanted to provide an example of why this map -- this particular map, as it was adopted, was real important.

There's a bill in Congress right now that's sponsored by Congressman Gosar which is related to the San Carlos Apache sacred lands.

And if we were all represented in one area, the congressperson would not -- probably wouldn't do that because the communities that he represents, you know, holds those areas very sacred.

Just like the Navajo hold the peaks sacred, the San Carlos Apache hold those areas sacred.

And to have a congressman that -- I think
he's our congressman, for him to sponsor a bill that
goes against what we believe I think proves the
point that if we had a congressperson from our
region that was representative of all of the Native
American interests, we wouldn't have that type of
bill sponsored at that level. And it's -- I think
it's important to note that.

Only because this is a census are -- come
around every ten years, so the redrawing of the
lines happens every ten years and there's a lot of
actions by the different governments within those
ten years that affect the communities that are in
those areas and the people, especially.

And so looking at the redistricting issue
as it relates to Navajo, this is very important
realizing that ten years ago we hadn't -- we had
taken an active interest but the ten years prior to
that, twenty years ago, we weren't really a big
player in it.

But given twenty years now, the Navajo
Nation is a very active player in the redistricting
process and we want to make sure that our voice is
heard and that our concerns are relayed to the
people that make the decisions.

And so I wanted to take the time today to
express my appreciation for your efforts. I think you guys are all doing a great job. And that you took the time to come up here and really listen to our concerns, and I really appreciate that.

There are others out there that may not be comfortable in addressing a body such as yours and some of them don't speak English very well, but when you do sit in the small circles with them and you talk about these issues with them, they have their own concerns and you always hear those concerns about having the best chance for a Native American, be it whichever ones are represented here to represent our interests at the various levels of government. And realizing that redistricting is one of those tools that allows that to happen.

You know, they would all most likely say the same thing, that they would like to see someone that knows their background, that knows what types of issues they stand on and to have them voice those concerns at the very highest levels of government is something that they really would like to have.

So with that, I will, again, just say thank you for allowing me the time to speak, and I hope you enjoy your time up here in Window Rock and touring through Navajo country. And we invite you
all back here again.

So thank you very much.

CHAIRPERSON MATHIS: Thank you very much.

Our next speaker is Florina Yazzie, from McKinley.

How about Dawn Yazzie from Fort Defiance.

DAWN YAZZIE: Good afternoon.

Just short and sweet.

My name is Dawn Yazzie, and thank you for your time in being here.

And just really briefly, I do support both maps, legislative draft map and the congressional draft map and especially maintaining the minority-majority voting.

That's all of my comments.

Thank you.

CHAIRPERSON MATHIS: Do you mind spelling your name for the record?

DAWN YAZZIE: Dawn, D-a-w-n, Yazzie, Y-a-z-z-i-e.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Maricelyn Smith, from Navajo County.

MARICELYN SMITH: Hi. My name is Maricelyn Smith. I am from Keyenta, Arizona, and a
registered voter at the Keyenta chapter and in Navajo County. I vote both Navajo state and federal elections.

My concerns deals with the lack of information regarding candidates and the issues that involve the state and federal elections.

In prior elections I went to the polls and voted in state and federal elections and I was overwhelmed by the number of candidates and propositions listed in the ballot.

I didn't know most of the candidates and the issues referred by the proposition. I don't know -- there were so many candidates and I didn't know who to vote for. I didn't know who and what I was voting for.

And so I would rather know who I'm voting for and -- especially -- I was especially confused when reading the proposition language. I didn't know that I had to vote yes but it turned out I actually meant no.

There's no literature provided to me in Navajo so that I wouldn't be properly informed about who I voted and voting for. And that goes for my grandparents when I would go in there to help them. And Chris Descheenie is my cousin brother, so when I
helped him out, you know, during the times of his election, a lot of the elders were happy with the fact that he was native and he did come out and I think that helped out a lot to where we kind of had an idea of who he was.

So besides the fairs and we all come out to say hi and everything, but in actuality, we really don't know them, only from the ones that come out.

And I think a lot of the -- I've noticed a lot of the elders, when they do come out to say hi and they put the name with a face, that helps them out a lot.

That's what I want to say.

Thank you.

CHAIRPERSON MATHIS: Thank you.

Do you mind spelling your name for the record?

MARICELYN SMITH: M-a-r-i-c-e-l-y-n, last name is Smith.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Latonia Becenti, representing self from Apache County.

LATONIA BECENTI: Good afternoon.

My name is Latonia Becenti. I'm a rural
member of the Navajo Nation. I'm also a voter of
the state of Arizona and Apache County.

I have reviewed both maps and find it to
be in the best interest of Native American.

In reviewing the maps, it's important
that Native Americans like myself have a candidate
in which we want to represent ourselves.

So I thank you for the time for having --
holding these hearings and for ensuring that all
members -- all voters have a chance to speak and be
represented.

Thank you.

CHAIRPERSON MATHIS: And please spell
your name for the record, too.

LATONIA BECENTI: My first name is
Latonia, L-a-t-o-n-i-a, Becenti, B, as in boy,
e-c-e-n-t-i.

Thank you.

CHAIRPERSON MATHIS: Thank you.

That was my last request to speak form.

There were a couple that weren't here. Margie
Begay? I don't know if she's here.

Okay. And Florina Yazzie.

So I think that concludes the testimony
today in Window Rock. And it's always a pleasure to
come to Navajo Nation. It's not hard at all. It's not a sacrifice. It's a treat to come up.

And we're really grateful to see all of the familiar faces that we have seen at many of our hearings across the state.

They have provided a lot of input during the process and participated greatly. And it's wonderful to see them as well as to see a lot of new faces today, too.

So thank you all for coming out.

And I'll see if my fellow commissioner, Ms. McNulty, has anything she would like to say.

COMMISSIONER MCNULTY: I would like to thank you for participating in this redistricting process.

Throughout the last number of months, it's been very helpful to us and very supportive of the whole process and we appreciate that.

It's clear that the folks of the Navajo Nation understand the importance of redistricting to participatory democracy. You really do understand that it's at the heart of it. And that helps not just the Navajo Nation but the entire state.

One of the reasons that I am very interested in what you and your representatives have
to say is that Arizona's strength, in my mind, has always been its diversity. We have all kinds of people here.

And the cultural diversity that you bring to us as a state -- and one of the speakers said earlier today the cultural vitality are very important to each of us as citizens.

And so I appreciate that very much. I value that very much, and I thank you for helping us in this process.

CHAIRPERSON MATHIS: Thank you.

And I would like to extend our gratitude to the Navajo Nation Museum for allowing us to be in this great room today. We appreciate it very much.

And, again, thank you all for coming.

And that leaves only one item on the agenda --

Okay. My legal counsel has advised that I tell everyone when our next meetings are, next couple.

We'll be tomorrow in the town of Eagar at 9 a.m. and then in Hon-Dah at 3 p.m. tomorrow afternoon.

And then Tuba City on Monday even- -- no, Monday morning at 10 a.m. Mountain Daylight Time --
Navajo Nation time, and 9 a.m. Mountain Standard Time.

And I'll just read also where these locations will be.

In Eagar, we'll be at the Town Hall council chambers. Again, that's tomorrow at 9 a.m.
In the afternoon, we'll be at the Hon-Dah Resort Casino at 3 p.m.

And then in Tuba City, we'll be at the Moenkopi Legacy Inn & Suites. And again, that's 10 a.m. Navajo Nation time, 9 a.m. Mountain Standard Time.

So please feel free to follow us on the road and come to another hearing. We enjoy having as many as we can get, and you're welcome to testify again.

So with that, there's only one other thing on the agenda, and that's adjournment.

And the time is 4:35 p.m. Navajo Nation time, 3:35 p.m. Mountain Standard Time, and thank you very much for coming.

(The meeting adjourned at 4:35 p.m. (MDT).)
I, MICHELLE D. ELAM, Certified Reporter
No. 50637 for the State of Arizona, do hereby
certify that the foregoing 125 printed pages
constitute a full, true, and accurate transcript of
the proceedings had in the foregoing matter, all
done to the best of my skill and ability.

WITNESS my hand this 26th day of October,
2011.

______________________________
MICHELLE D. ELAM
Certified Reporter
Certificate No. 50637