

U.S. COMMISSION ON CIVIL RIGHTS

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PUBLIC BUSINESS MEETING TELECONFERENCE

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THURSDAY, SEPTEMBER 3, 2009

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The meeting convened via
teleconference at 11:30 a.m., Gerald A. Reynolds,
Chairman, presiding.

PRESENT:

GERRY REYNOLDS, CHAIRMAN
GAIL L. HERIOT, COMMISSIONER
PETER N. KIRSANOW, COMMISSIONER
ARLAN D. MELENDEZ, COMMISSIONER
ASHLEY L. TAYLOR, JR., COMMISSIONER
MICHAEL YAKI, COMMISSIONER
TODD F. GAZIANO, COMMISSIONER

MARTIN DANNENFELSER, Staff Director

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STAFF PRESENT:

DAVID BLACKWOOD, General Counsel
CHRISTOPHER BYRNES
DEMITRIA DEAS
PAMELA A. DUNSTON, Chief, ASCD
MAHA JWEIED
PETER MINARIK
EMMA MONRIIG, Solicitor
AUDREY WRIGHT

COMMISSIONER ASSISTANTS PRESENT:

TIM FAY
DOMINIQUE LUDVIGSON
RICHARD SCHMECHEL

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P R O C E E D I N G S

(11:47:01 a.m.)

OPERATOR: Good morning. My name is Stephen, and I'll be your conference operator today. At this time, I'd like to welcome everyone to the conference call. All lines have been placed on mute to prevent any background noise. If you need assistance during the call, please press Star, and then zero, and the operator will come back on the line to assist you. Thank you.

Mr. Reynolds, you may begin your conference.

CHAIRMAN REYNOLDS: Okay. Good morning. This is Jerry Reynolds. It is 11:46 Eastern Standard Time on September 3rd, 2009. This is a telephonic meeting of the U.S. Commission on Civil Rights, with Commissioners participating from different locations. I will call the name of each Commissioner to determine if there is a quorum to hold a meeting. Vice Chair Thernstrom, Commissioner Kirsanow.

COMMISSIONER KIRSANOW: Here.

CHAIRMAN REYNOLDS: Commissioner Yaki. Commissioner Melendez. Commissioner Taylor.

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1 COMMISSIONER TAYLOR: Here.

2 CHAIRMAN REYNOLDS: Commissioner
3 Heriot.

4 COMMISSIONER HERIOT: Here.

5 CHAIRMAN REYNOLDS: Commissioner
6 Gaziano.

7 COMMISSIONER GAZIANO: Here.

8 CHAIRMAN REYNOLDS: Okay, we have a
9 quorum. Is the Staff Director present?

10 STAFF DIRECTOR DANNENFELSER:
11 Present.

12 CHAIRMAN REYNOLDS: Is the court
13 reporter on the line?

14 COURT REPORTER: I am.

15 CHAIRMAN REYNOLDS: Very good. Well,
16 the meeting will come to order. If a Commissioner
17 wishes to make a statement, or if he or she -- he
18 or she should identify themselves first. Whenever
19 it's necessary to take a vote, the following
20 procedure will be followed. I will call out the
21 name of each Commissioner. The Commissioner
22 should there answer yes, no, or abstain. After
23 the voting is concluded, I will read out how each
24 of you have voted in order to insure that the
25 tally is correct.

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1 The first item on the agenda is the
2 Approval of the Agenda. I move that we approve
3 it. Is there a second?

4 COMMISSIONER HERIOT: Second.

5 CHAIRMAN REYNOLDS: Discussion?
6 Well, actually, I'm going to move to amend it so
7 that we can put Program Planning for the
8 conference before our discussion of the State
9 Advisory Committee issues.

10 COMMISSIONER HERIOT: Are you sure
11 you want to do that?

12 COURT REPORTER: I'm sorry. This is
13 the Court Reporter. Could I please ask you to
14 identify yourself when you speak?

15 COMMISSIONER HERIOT: I'm Gail
16 Heriot.

17 COURT REPORTER: Thank you very much.

18 CHAIRMAN REYNOLDS: Gail, here's the
19 rationale. Right now we have a quorum, but if we
20 lose one Commissioner, we can't conduct business.

21 COMMISSIONER HERIOT: That's my
22 point. Is there actual business to conduct with
23 Program Planning. You're authorized to do with it
24 as you will at this point.

25 CHAIRMAN REYNOLDS: Yes. We have --

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1 there's going to be a motion that would affect how
2 we proceed.

3 COMMISSIONER HERIOT: Okay.

4 CHAIRMAN REYNOLDS: Okay.

5 COMMISSIONER HERIOT: That's
6 certainly amendment of your own motion. And if you
7 need a second for it, I'll give you a second on
8 that.

9 CHAIRMAN REYNOLDS: Thank you. Do we
10 need discussion? Okay. Commissioner Kirsanow,
11 how do you vote?

12 COMMISSIONER KIRSANOW: Aye.

13 CHAIRMAN REYNOLDS: Commissioner
14 Taylor.

15 COMMISSIONER TAYLOR: Aye.

16 CHAIRMAN REYNOLDS: Commissioner
17 Heriot.

18 COMMISSIONER HERIOT: Aye.

19 CHAIRMAN REYNOLDS: Commissioner
20 Gaziano.

21 COMMISSIONER GAZIANO: Yes.

22 CHAIRMAN REYNOLDS: And I vote in the
23 affirmative, also. The vote was unanimous.

24 Okay. Next up. Mr. Staff Director,
25 please provide us with your report.

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1 STAFF DIRECTOR DANNENFELSER: Thank
2 you, Mr. Chairman. At this time, I want to
3 provide an update on the status of the building
4 improvements that have been taking place at
5 headquarters. The carpet has been installed in
6 the interior offices throughout the seventh floor,
7 and the public corridors on the seventh floor are
8 in the process of being treated, and they're
9 scheduled for carpeting and painting on Tuesday,
10 September 8th. The contractors on the fifth floor
11 as of Tuesday, September 1st, in Suite 510. All
12 employee offices will be completed, and then the
13 contractor will go to the file rooms, copy rooms,
14 and so on. And that process was actually
15 scheduled to be completed by the end of the day
16 today.

17 The main conference room on the fifth
18 floor is scheduled for work on September 16th.
19 We'll have new shelving for the Commissioner and
20 Staff Director photos installed. Currently, most
21 of the photographs have been sealed to the walls,
22 and we will have those sent out to be reframed.
23 And we also are working on the process of signage
24 relating to the name of the Commission and a seal
25 that will be on the wall of the conference.

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1 There's a separate -- a different type of painting
2 and carpeting that will be in the fifth floor
3 conference room than throughout the other parts of
4 the building.

5 The installation of painting and
6 carpeting on the sixth floor is anticipated to
7 take place between September 10th and 14th. And
8 the entire project is expected to be completed by
9 Saturday, September 19th. And we have rented a
10 whole bunch of these heavy duty plastic boxes that
11 people have been using, and we're recycling them
12 as people get in and unload them. And we also
13 have employed the services of some movers to help
14 with some of the heavy duty things that are stored
15 in some closets and file rooms, and also to help
16 some of the staff with some of the heavier objects
17 that they have. But, so far, the process seems to
18 be going pretty smoothly.

19 COMMISSIONER YAKI: Hello.

20 CHAIRMAN REYNOLDS: Hello. Is that
21 Commissioner Gaziano?

22 COMMISSIONER YAKI: No, it's
23 Commissioner Yaki.

24 CHAIRMAN REYNOLDS: Oh, very good.
25 Okay. Commissioner Yaki has joined us.

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1 COMMISSIONER MELENDEZ: Commissioner
2 Melendez here.

3 CHAIRMAN REYNOLDS: Okay. Very good.

4 COMMISSIONER MELENDEZ: I'm going to
5 be limited on my participation. I'm in another
6 conference in Sparks, Nevada, but I'll be on for a
7 while.

8 CHAIRMAN REYNOLDS: Okay. Very good.

9 COMMISSIONER MELENDEZ: Okay.

10 CHAIRMAN REYNOLDS: Any questions or
11 comments to the Staff Director?

12 COMMISSIONER HERIOT: No.

13 COMMISSIONER MELENDEZ: Yes, I do.
14 This is Commissioner Melendez. I would, at some
15 point, still like to -- maybe at the next meeting,
16 the face-to-face meeting, like to have a full
17 report on our financial position for the fiscal
18 year. I'm still waiting to see where we are as
19 far as whether or not we have surplus leftover
20 like we usually do, and where we are with the --
21 going into 2010. So, hopefully, we can have the
22 Staff Director give a full financial report at the
23 next meeting on the 11th.

24 CHAIRMAN REYNOLDS: Okay. Marty,
25 please put that on the agenda.

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1 STAFF DIRECTOR DANNENFELSER: Okay.

2 COMMISSIONER MELENDEZ: Thank you.

3 CHAIRMAN REYNOLDS: Any other
4 comments or questions?

5 Okay. On August 19th, my assistant
6 sent out an email on my behalf notifying you that
7 the National Conference on Civil Rights would be
8 postponed from the originally planned date of
9 October 3rd. The decision was arrived at as a
10 result of conversations that I've had with
11 Commissioner Taylor, aided by Commissioner
12 Kirsanow. They have persuaded me, against my
13 better judgment, that we should revisit the idea
14 of enlisting a Subcommittee to work on the
15 National Conference.

16 This conference is important, and
17 long overdue, and I was quite pleased with the
18 enthusiasm expressed by many of the people that I
19 spoke with. So, in any event, the convening of a
20 Subcommittee at this juncture, in my view, is a
21 step back, but I hope that this suggestion will
22 help us secure meaningful contributions from those
23 Commissioners who felt that they did not have an
24 opportunity to make adequate suggestions in
25 response to the Concept Paper that was circulated.

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The same rules should apply to the Subcommittee that applied when I solicited suggestions and edits to my Concept Paper from Commissioners that has every aspect of the conference, from the theme, to content, to suggested speakers would be open to discussion.

That said, a significant amount of thought, time, and effort went into the preparation of the Concept Paper. I would encourage the Subcommittee to use it as a starting point for its deliberation. The date and venue are also up for debate, but I feel strongly that our target date for the conference should not go beyond late March, or, actually, shouldn't go beyond mid-April of 2010. And that we should still hold the event at the National Press Club.

My assistant, Ms. Ludvigson, has contacted the Press Club to assess the availability, and there are still a number of dates open within the time frame that might suit our purposes. It is imperative that the Subcommittee begin its work right away, if we are to nail down a firm date for the event where the venue can accommodate us.

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1 The other item that is not open to
2 much debate, I hope, is the budget for the event.

3 The budget should stay around \$100,000. There
4 are savings realized by purchasing certain items
5 this fiscal year that were originally scheduled to
6 be purchased in the next fiscal year. And, also,
7 due to some staff attrition, we can fully support
8 the shifting of the conference to the new fiscal
9 year.

10 So, I move that the Commission
11 appoint a three-person committee consisting of
12 Commissioners Yaki, Kirsanow, and Taylor, to meet
13 over the next two months at intervals they
14 determine via teleconference to make
15 recommendations regarding the National Conference.

16 Under this motion, the Subcommittee is to report
17 on its progress to the Commission during
18 Commission business meetings, and be prepared to
19 present its recommendation to the Full Commission
20 for a vote at an in-person Commission meeting
21 that's scheduled for November 6th, 2009, giving
22 the panel, the Subcommittee, approximately two
23 months to do its work. Is there a second?

24 COMMISSIONER HERIOT: Second.

25 CHAIRMAN REYNOLDS: Discussion?

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1 COMMISSIONER GAZIANO: I'd like to
2 hear maybe two points elaborated a little bit.
3 First of all, Commissioner Yaki, if he wouldn't
4 mind saying, are you willing to serve, and how
5 does this suit you?

6 CHAIRMAN REYNOLDS: Commissioner
7 Yaki, are you still on?

8 COMMISSIONER YAKI: I am.

9 COMMISSIONER GAZIANO: Commissioner
10 Yaki, I asked if you were able to attend to the
11 Chairman's proposal that you serve on a
12 Subcommittee, whether you're willing to serve, and
13 how that proposal suits you.

14 COMMISSIONER YAKI: Did I vote for
15 it?

16 COMMISSIONER GAZIANO: What's that?

17 COMMISSIONER YAKI: Did I object to
18 it?

19 COMMISSIONER GAZIANO: How does it --
20 are you willing to serve?

21 COMMISSIONER YAKI: Did I object to
22 the vote? No.

23 CHAIRMAN REYNOLDS: We haven't gotten
24 around to voting yet.

25 COMMISSIONER HERIOT: The question is

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1 do you want to serve on the Committee.

2 COMMISSIONER GAZIANO: Well, that may
3 serve as a basis of whether I should vote for this
4 particular Subcommittee, is whether the
5 individuals on the call, but particularly you,
6 since you suggested there was a lack of input,
7 think that this is satisfactory.

8 COMMISSIONER YAKI: Well, I think
9 that the process being restarted is satisfactory.
10 I think that the appointment of a Subcommittee is
11 a step in the right direction. Where it goes from
12 there, I can't possibly say, but I will serve.

13 CHAIRMAN REYNOLDS: Very good. Let's
14 vote. Commissioner Kirsanow, how do you vote?

15 COMMISSIONER YAKI: I don't know what
16 the heck you were looking for, Commissioner
17 Gaziano, and Commissioner Heriot. I don't
18 understand why you keep on giggling, but whatever.

19 CHAIRMAN REYNOLDS: Commissioner
20 Kirsanow.

21 COMMISSIONER KIRSANOW: Aye.

22 CHAIRMAN REYNOLDS: Commissioner
23 Yaki.

24 COMMISSIONER YAKI: Did you say
25 Commissioner Yaki?

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1 CHAIRMAN REYNOLDS: Yes.

2 COMMISSIONER YAKI: Yes.

3 CHAIRMAN REYNOLDS: Commissioner
4 Melendez.

5 COMMISSIONER MELENDEZ: Aye.

6 CHAIRMAN REYNOLDS: Commissioner
7 Taylor.

8 COMMISSIONER TAYLOR: Aye.

9 CHAIRMAN REYNOLDS: Commissioner
10 Heriot.

11 COMMISSIONER HERIOT: Aye.

12 CHAIRMAN REYNOLDS: Commissioner
13 Gaziano.

14 COMMISSIONER GAZIANO: Aye.

15 CHAIRMAN REYNOLDS: Okay. The vote
16 is unanimous.

17 Next up, your meeting materials
18 contain packages recommending the re-charters of
19 Arizona, Hawaii, Michigan, Utah, Indiana,
20 Nebraska, and South Dakota Advisory Committees.
21 Recommended Advisory Committee Members were
22 selected in compliance with the State Advisory
23 Committee Membership Selection Guidelines
24 specified in A.I.6-9, Section 7, following the
25 Lean Six Sigma process approved by the Commission

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1 in January of 2008. Commission Staff reached out
2 to the Commissioners, current SAC members, and the
3 Congressional Delegations for the corresponding
4 states, and other officials.

5 I move that the Commission re-charter
6 the Arizona State Advisory Committee. Under this
7 motion, the Commission appoints the following
8 individuals to that Committee, based on the
9 recommendation of the Staff Director, Clint
10 Bolick, Blanca Esparza, Lawrence Gallagher, Keli
11 Luther, Andrea Martinez, Jose Matus, James
12 McKenzie, Catherine Medina, Vernon Parker, Thomas
13 Patterson, and Franklin Taylor. Pursuant to this
14 motion, the Commission appoints Thomas Patterson
15 as Chair of this re-chartered Arizona State
16 Advisory Committee. These members will serve as
17 uncompensated government employees. Under this
18 motion, the Commission also authorizes the Staff
19 Director to execute the appropriate paperwork for
20 the appointment. Is there a second?

21 COMMISSIONER HERIOT: Second.

22 CHAIRMAN REYNOLDS: Discussion?

23 STAFF DIRECTOR DANNENFELSER: Mr.
24 Chairman, just a technical correction. On Mr.
25 Taylor, I believe it should be Frederick Taylor.

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1 CHAIRMAN REYNOLDS: What did I say?

2 STAFF DIRECTOR DANNENFELSER: I
3 think, Franklin.

4 CHAIRMAN REYNOLDS: Okay. Thank you
5 for the correction.

6 COMMISSIONER YAKI: Okay.

7 CHAIRMAN REYNOLDS: Okay. All in
8 favor, please say -- I'm sorry.

9 COMMISSIONER MELENDEZ: I have a
10 question.

11 CHAIRMAN REYNOLDS: Yes?

12 COMMISSIONER MELENDEZ: Commissioner
13 Melendez here. As far as the Lean Sigma process,
14 are we kind of shortcutting that, if -- I know
15 that in the cover letter, the Staff Director had
16 said something about that he was targeting certain
17 areas that limited, or targeted outreach; meaning
18 that, if, for some reason, we weren't considering
19 replacement of a full board, that if there were
20 only two or three vacancies, are we saying that we
21 kind of shortcut the Lean Sigma Six by just going
22 out to a few outreach areas, rather than fully
23 going out to a broader range of seeking
24 individuals? Just talking about the process of
25 Lean Sigma Six, and whether or not a few people

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1 being appointed is a small outreach.

2 CHAIRMAN REYNOLDS: Staff Director?

3 STAFF DIRECTOR DANNENFELSER: This is
4 the Staff Director. There was a memo that I sent
5 out to Commissioners in August of 2008, when there
6 were some questions about the process. And I did
7 point to certain instances when the outreach might
8 be more limited, and there were a few examples for
9 Florida, Kentucky, and North Carolina provided at
10 that time, when there was a large number of
11 returning members. In the case of Arizona that
12 we're now considering, even though there were 10
13 returning members, we did do a considerable amount
14 of outreach, which was detailed in the memo that
15 was sent to Commissioners on July 23rd. I could
16 read some of those organizations, if you like, but
17 it is a pretty extensive list.

18 COMMISSIONER MELENDEZ: Okay. But my
19 question is, if there's only a few people we're
20 replacing, are we -- is it not as broad as if we
21 were replacing eight or ten people?

22 STAFF DIRECTOR DANNENFELSER: There
23 are times when it's not as broad, when you have a
24 situation where you might have a large number of
25 members of one particular party, who might not be

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1 coming back, a disproportionate number from one
2 party that might not be coming back, as opposed to
3 the other. So, in terms of the outreach in a
4 situation like that, there might be somewhat more
5 targeted towards the party, or the philosophical
6 part of the spectrum that might be under-
7 represented.

8 COMMISSIONER MELENDEZ: All right.
9 Thank you.

10 CHAIRMAN REYNOLDS: Okay. Someone
11 please remind me where we are.

12 COMMISSIONER YAKI: Arizona.

13 COMMISSIONER HERIOT: We're on
14 Arizona, yes.

15 CHAIRMAN REYNOLDS: Okay. Well, what
16 I meant was, have we voted?

17 COMMISSIONER HERIOT: No, we have not
18 voted.

19 CHAIRMAN REYNOLDS: Okay.
20 Commissioner Kirsanow, how do you vote?

21 COMMISSIONER KIRSANOW: Aye.

22 CHAIRMAN REYNOLDS: Commissioner
23 Yaki.

24 COMMISSIONER YAKI: No.

25 CHAIRMAN REYNOLDS: Commissioner

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1 Melendez.

2 COMMISSIONER MELENDEZ: Abstain.

3 CHAIRMAN REYNOLDS: Commissioner

4 Taylor.

5 COMMISSIONER TAYLOR: Aye.

6 CHAIRMAN REYNOLDS: Commissioner

7 Heriot.

8 COMMISSIONER HERIOT: Aye.

9 CHAIRMAN REYNOLDS: Commissioner

10 Gaziano.

11 COMMISSIONER GAZIANO: Aye.

12 CHAIRMAN REYNOLDS: Okay.

13 Commissioners Kirsanow, Taylor, Heriot, Gaziano,

14 and myself voted in the affirmative.

15 Commissioners Yaki -- I'm sorry, Commissioner Yaki

16 voted against the motion, and Commissioner

17 Melendez abstained. The motion passes.

18 Next up is the Hawaii State Advisory

19 Committee. I move that the Commission re-charter

20 the Hawaii State Advisory Committee. Under this

21 motion, the Commission appoints the following

22 individuals to that Committee based on the

23 recommendations of the Staff Director, Amy

24 Agbayani, Robert Alm, Daphne Barbee-Wooten,

25 William Burgess, Vernon Char, Linda Colburn,

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1 Michelle Nalani Fujimori, Bruss Keppeler, and
2 James Isamu Kuroiwa. I apologize for mangling
3 pronunciations. And, also, Michael Lilly, Carmen
4 Lindsey, Thomas MacDonald, Paul Smith, Wayne
5 Tanna, and Jacqueline Eurn Hai Young. Pursuant to
6 this motion, the Commission appoints Michael Lilly
7 as Chair of the re-chartered Hawaii State Advisory
8 Committee. These members will serve as
9 uncompensated government employees. Under this
10 motion, the Commission also authorizes the Staff
11 Director to execute the appropriate paperwork for
12 the appointments. Is there a second?

13 COMMISSIONER GAZIANO: I like to
14 offer a substitute motion, if you wouldn't mind?
15 I'd like to severe consideration of Ms. Barbee-
16 Wooten, and discuss, and potentially vote on her
17 separately. So, I'd like to proceed with the rest
18 of the slate.

19 CHAIRMAN REYNOLDS: I accept that as
20 a friendly amendment.

21 COMMISSIONER YAKI: I move to sever
22 William Burgess for the same reason.

23 CHAIRMAN REYNOLDS: I accept that as
24 a friendly motion, also.

25 Okay. So, with those adjustments -

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1 COMMISSIONER HERIOT: You still need
2 a second, don't you?

3 CHAIRMAN REYNOLDS: Would you kindly
4 provide it?

5 COMMISSIONER HERIOT: Yes. Second.

6 CHAIRMAN REYNOLDS: Okay. We are now
7 voting on the individuals that I just mentioned
8 with the exception of Burgess and Wooten, who
9 would be voted on separately. Any discussion?

10 COMMISSIONER MELENDEZ: Commissioner
11 Melendez. I would make a motion to keep it as it
12 is, because all we're doing is -- it's a wider -

13 COMMISSIONER HERIOT: But that's out
14 of order.

15 CHAIRMAN REYNOLDS: Okay. Is there a
16 second for Commissioner Melendez' - is there any
17 support for his motion?

18 COMMISSIONER GAZIANO: I suppose
19 that's just an argument to defeat our -- well,
20 never mind. Go ahead.

21 CHAIRMAN REYNOLDS: Is there support
22 for Commissioner Melendez' suggestion? Okay.
23 Hearing none, Commissioner Kirsanow, how do you
24 vote?

25 COMMISSIONER KIRSANOW: Aye.

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1 CHAIRMAN REYNOLDS: Commissioner

2 Yaki.

3 COMMISSIONER YAKI: Abstain.

4 CHAIRMAN REYNOLDS: Commissioner

5 Melendez.

6 COMMISSIONER MELENDEZ: Abstain.

7 CHAIRMAN REYNOLDS: Commissioner

8 Taylor. Commissioner Taylor? Commissioner

9 Heriot?

10 COMMISSIONER HERIOT: Aye.

11 CHAIRMAN REYNOLDS: Commissioner

12 Gaziano.

13 COMMISSIONER GAZIANO: Aye.

14 COMMISSIONER TAYLOR: Did you get the

15 Taylor aye, by the way?

16 CHAIRMAN REYNOLDS: No, I did not.

17 COMMISSIONER TAYLOR: Okay.

18 CHAIRMAN REYNOLDS: Okay.

19 Commissioners Kirsanow, Taylor, Heriot, Gaziano,

20 and myself voted in the affirmative.

21 Commissioners Yaki and Melendez voted -- well,

22 abstained. The motion passes.

23 Next up, let's discuss Ms. Wooten.

24 COMMISSIONER GAZIANO: I'd be glad to

25 tell you why I wanted to sever. I've seen in four

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1 or five news accounts that when the American Civil
2 Liberties Union of Hawaii thought to invite
3 Clarence Thomas to debate Nadine Strossen, that
4 Ms. Barbee-Wooten said -- made some statements in
5 opposition to inviting Justice Thomas that seem
6 racially offensive. According to the newspaper
7 reports, she wrote first in a letter, I believe,
8 to the organization's First Amendment
9 Subcommittee. She said, "Bringing Clarence Thomas
10 sends a message that the Hawaii's ACLU promotes
11 and honors black Uncle Toms, who turn their backs
12 on civil rights." I think even the inclusion of
13 that term is, at best, racially offensive, the
14 term "Uncle Tom". And, certainly, not a very
15 accurate view of Clarence Thomas' views of
16 jurisprudence.

17 Then, reportedly, at a meeting to
18 discuss her objections, where others referred to
19 Clarence Thomas as a Hitler, and she didn't
20 object. Instead, she added that, "Among other
21 reasons to oppose him is that he's married to a
22 white person." So, she objects to interracial
23 marriages, or perhaps this particular interracial
24 marriage. It's unclear.

25 I would propose to -- at this point,

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1 I would move to table her consideration
2 indefinitely, unless she can establish that these
3 news accounts are inaccurate, and that she never
4 said such things.

5 CHAIRMAN REYNOLDS: Is there a
6 second?

7 COMMISSIONER HERIOT: Second.

8 COMMISSIONER YAKI: I would amend
9 this.

10 CHAIRMAN REYNOLDS: Are you offering
11 a friendly amendment?

12 COMMISSIONER YAKI: Yes. I would just
13 simply say just to disapprove her, period.

14 COMMISSIONER HERIOT: That seems
15 unfair, if she didn't say these things.

16 COMMISSIONER YAKI: Well, I don't
17 know why we need to table it. We just disapprove
18 her.

19 COMMISSIONER HERIOT: But it's tabled
20 indefinitely. She has to move forward and
21 convince us, and that we can take it up again.

22 COMMISSIONER YAKI: Well, okay.
23 Whatever you guys want to do.

24 CHAIRMAN REYNOLDS: Any other
25 comments? Commissioner Kirsanow, how do you vote?

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1 COMMISSIONER KIRSANOW: I'm sorry. I
2 missed the last three minutes, because I had to
3 take another call. I heard Commissioner Heriot at
4 the end of it, something about tabling.

5 COMMISSIONER HERIOT: This will be
6 tabling Ms. Barbee-Wooten until such time --
7 tabling her indefinitely until such time as she
8 can show that the statements that were made out
9 her statements are untrue.

10 COMMISSIONER GAZIANO: Aye. If the
11 statements are true, I wouldn't support -

12 COMMISSIONER YAKI: Actually, I'd
13 like to amend that again.

14 COMMISSIONER HERIOT: We're already
15 voting, so I don't think you can do that.

16 COMMISSIONER YAKI: Sure. Why not?

17 COMMISSIONER HERIOT: Because it's
18 out of order.

19 COMMISSIONER YAKI: Oh, come on,
20 Gail. Would you just get a break sometimes.

21 CHAIRMAN REYNOLDS: Okay.

22 COMMISSIONER HERIOT: You're the one
23 that didn't even call in until we had a quorum.
24 Who should be giving whom a break?

25 COMMISSIONER YAKI: What are you

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1 talking about? I was on the -- I've been on the
2 road for three and a half hours out of cell phone
3 range, Ms. Heriot, because I had to go to a
4 meeting this morning over -

5 CHAIRMAN REYNOLDS: Commissioner
6 Yaki.

7 COMMISSIONER YAKI: -- my vacation,
8 starting at 6:00 this morning, so don't give me
9 any crap about when I called in, when I -

10 CHAIRMAN REYNOLDS: Commissioner
11 Yaki, please, take this up with Commissioner
12 Heriot on your own time.

13 COMMISSIONER YAKI: She chooses to
14 impugn my integrity with that remark. I'm not
15 going to stand for it. She can make whatever
16 stupid remarks, or giggle if she wants to do. The
17 fact of the matter is, I called as soon as I got
18 in the house, and could get my documents and
19 binders out, as soon as I pulled in the driveway.

20 COMMISSIONER HERIOT: This is a
21 pattern, Commissioner Yaki.

22 CHAIRMAN REYNOLDS: Okay, folks.

23 COMMISSIONER YAKI: How is there a
24 pattern? Well, maybe it's a pattern that creates
25 a disparate impact -- oh, no, you don't believe in

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1 that, so I don't know. I don't know how you can
2 focus on that. The fact of the matter is, I was
3 going to say, that if we are doing this, we should
4 also, at the same time, instruct the Staff
5 Director to select an alternate to ensure the
6 appropriate balance on the Commission, should this
7 person not be able to prove her case satisfactory
8 to the Commission, or to whoever it is, which is
9 yet unnamed in the motion.

10 COMMISSIONER GAZIANO: I suppose we
11 could take that up after the vote to table her.
12 But I think the -- personally, I think the --
13 let's see what happens on Mr. Burgess, as well,
14 but I think the slate looks balanced without her.

15 COMMISSIONER YAKI: Well, that's your
16 opinion, not mine.

17 CHAIRMAN REYNOLDS: Okay, folks. We
18 can take that up as a separate issue.
19 Commissioner Kirsanow, how do you vote?

20 COMMISSIONER KIRSANOW: Just to
21 clarify the record, we are voting on the original
22 motion to table. Correct?

23 COMMISSIONER HERIOT: Right.

24 COMMISSIONER KIRSANOW: I vote aye.

25 CHAIRMAN REYNOLDS: Commissioner

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1 Yaki?

2 COMMISSIONER YAKI: Aye.

3 CHAIRMAN REYNOLDS: Commissioner

4 Melendez.

5 COMMISSIONER MELENDEZ: Abstain.

6 CHAIRMAN REYNOLDS: Commissioner

7 Taylor.

8 COMMISSIONER TAYLOR: Aye.

9 CHAIRMAN REYNOLDS: Commissioner

10 Heriot.

11 COMMISSIONER HERIOT: Aye.

12 CHAIRMAN REYNOLDS: Commissioner

13 Gaziano.

14 COMMISSIONER GAZIANO: Aye.

15 CHAIRMAN REYNOLDS: Okay. We have

16 one abstention from Commissioner Melendez. The

17 remaining Commissioners voted in favor. The

18 motion carries.

19 Next up -

20 COMMISSIONER YAKI: I move that we

21 ask the Staff Director to propose an alternate to

22 replace Ms. Wooten, should she not prove up her

23 case.

24 CHAIRMAN REYNOLDS: Should she not

25 prove up her case?

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1 Well, should we -

2 COMMISSIONER HERIOT: Shouldn't we
3 wait to find out whether she does prove her case?

4 COMMISSIONER YAKI: I think we should
5 have an alternate -

6 COMMISSIONER HERIOT: You got to give
7 her some time.

8 COMMISSIONER YAKI: Well, how much
9 time do you want to give her? You didn't specify
10 that.

11 CHAIRMAN REYNOLDS: Well, why don't
12 you make the motion -

13 COMMISSIONER HERIOT: Put it on a
14 future agenda.

15 CHAIRMAN REYNOLDS: Look, let's put
16 this on the next -- the agenda for the next
17 meeting.

18 COMMISSIONER HERIOT: You've got to
19 give her more time than two weeks.

20 CHAIRMAN REYNOLDS: Okay.

21 Put it on October's agenda.

22 CHAIRMAN REYNOLDS: All right.

23 That's fine.

24 Next up, Mr. Burgess. Commissioner
25 Yaki?

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1 COMMISSIONER YAKI: Yes. I would
2 just like to state that I have an objection to Mr.
3 Burgess, because his one and only warranting
4 concern that has been enunciated already, was not
5 carried by a majority of the Commission. I'm not
6 too sure what further contributions he can make,
7 given that his sole focus is on the Native
8 Hawaiian Sovereignty Act.

9 CHAIRMAN REYNOLDS: Do you believe
10 that that issue is settled?

11 COMMISSIONER YAKI: I believe that he
12 has made his point. And, as far as other issues
13 to be taken up by the Hawaiian State, allegedly, I
14 don't believe he would be interested, or add to
15 it.

16 COMMISSIONER HERIOT: Call the
17 question.

18 COMMISSIONER GAZIANO: Let me just
19 state, from what I know of Mr. Burgess' efforts,
20 they are honorable, and admirable. And he donates
21 a lot of his time for the right causes.

22 COMMISSIONER YAKI: Well, I'm glad
23 you think that way Todd. I don't.

24 COMMISSIONER HERIOT: Call the
25 question.

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1 CHAIRMAN REYNOLDS: Okay.

2 Commissioner Kirsanow.

3 COMMISSIONER GAZIANO: The motion is
4 to -- I didn't know there was a specific motion.
5 Do you want to strike, kill, approve?

6 COMMISSIONER YAKI: Disapprove.

7 COMMISSIONER KIRSANOW: Okay.

8 CHAIRMAN REYNOLDS: Commissioner
9 Kirsanow.

10 COMMISSIONER KIRSANOW: No.

11 CHAIRMAN REYNOLDS: Commissioner
12 Yaki.

13 COMMISSIONER YAKI: Aye.

14 CHAIRMAN REYNOLDS: Commissioner
15 Melendez.

16 COMMISSIONER MELENDEZ: Yes.

17 CHAIRMAN REYNOLDS: Commissioner
18 Taylor.

19 COMMISSIONER TAYLOR: No.

20 CHAIRMAN REYNOLDS: Commissioner
21 Heriot.

22 COMMISSIONER HERIOT: No.

23 CHAIRMAN REYNOLDS: Commissioner
24 Gaziano.

25 COMMISSIONER GAZIANO: No.

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1 CHAIRMAN REYNOLDS: Okay.

2 Commissioners Yaki and Melendez -

3 COMMISSIONER HERIOT: Wait. The
4 problem is, we just voted not to disapprove him.
5 You have to actually approve. I move to approve
6 him.

7 COMMISSIONER GAZIANO: Second.

8 CHAIRMAN REYNOLDS: We don't need
9 discussion? Commissioner Kirsanow, how do you
10 vote?

11 COMMISSIONER KIRSANOW: Aye.

12 CHAIRMAN REYNOLDS: Commissioner
13 Yaki.

14 COMMISSIONER YAKI: No.

15 CHAIRMAN REYNOLDS: Commissioner
16 Melendez.

17 COMMISSIONER MELENDEZ: No.

18 CHAIRMAN REYNOLDS: Commissioner
19 Taylor.

20 COMMISSIONER TAYLOR: This is to
21 approve him. Correct?

22 COMMISSIONER HERIOT: Yes.

23 CHAIRMAN REYNOLDS: Yes.

24 COMMISSIONER TAYLOR: Yes.

25 CHAIRMAN REYNOLDS: Commissioner

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1 Heriot.

2 COMMISSIONER HERIOT: Yes.

3 CHAIRMAN REYNOLDS: Okay. We have
4 two votes -

5 COMMISSIONER GAZIANO: And Gaziano,
6 yes.

7 CHAIRMAN REYNOLDS: Oh, sorry about
8 that.

9 COMMISSIONER HERIOT: Poor guy.

10 CHAIRMAN REYNOLDS: Okay. We have
11 two votes from Commissioners Yaki and Melendez
12 voting against the motion. The remaining
13 Commissioners voted in favor. The motion carries.

14 Now, let's jump back. Let the record
15 reflect that Commissioner Yaki and Melendez voted
16 not to have Mr. Burgess reappointed. The
17 remaining Commissioners voted the other way.

18 Okay. Next up is the Michigan State
19 Advisory Committee. Now, I move that the
20 Commission re-charter the Michigan State SAC.
21 Under this motion, the Commission appoints the
22 following individuals to that Committee based on
23 the recommendations of the Staff Director,
24 Lawrence Almeda, Wendell Anthony, Donna Budnick,
25 James Fett, Imad Hamad, Joyce Herron-Taylor,

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1 Jayashree Kammareddi, Sarah Prescott, Howard
2 Schwartz, Arthur White, Levon Yuille, and Gerald
3 Zandstra. Pursuant to the motion, the Commission
4 appoints Lawrence Almeda as the Chair of the re-
5 chartered Michigan SAC. These members will serve
6 as uncompensated government employees. Under this
7 motion, the Staff Director is also authorized to
8 execute the necessary paperwork for the
9 appointment. Is there a second?

10 COMMISSIONER HERIOT: Second.

11 CHAIRMAN REYNOLDS: Discussion?

12 COMMISSIONER MELENDEZ: Yes.

13 Commissioner Melendez here. There was -- I guess
14 a question would be to the Staff Director, the
15 regional staff had made a recommendation on a
16 certain lady, and I'm not sure if I should say her
17 name, that had pretty good background in criminal
18 justice. And that's one of our mandates, is to
19 explore discrimination and administrative
20 injustice. And I believe we may have replaced
21 that person with a number of charter school-type
22 people, when we already have, I think, a couple of
23 professors that are on this board. So, I just
24 wanted to know why we would exclude a qualified
25 woman, who would have been the only person on this

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1 board that would really be -- may look into
2 administrative of justice, as well as race, and
3 gender, and that type of thing. Can I get an
4 explanation on that, because she seemed like she
5 was pretty qualified, and she was replaced.

6 CHAIRMAN REYNOLDS: Well, before the
7 Staff Director responds, Commissioner Melendez,
8 it's not uncommon for the Commission to have an
9 over-subscription problem, where we just have an
10 abundance of highly qualified people. And, in
11 those instances, we have to turn qualified people
12 away. It's no reflection on them. But, in any
13 event, Staff Director, would you care to respond?

14 STAFF DIRECTOR DANNENFELSER: Well,
15 I'm looking at the list. I see at least four
16 attorneys of the remaining people on there. Just,
17 in general, it's balanced both in terms of the
18 backgrounds of the people, and the overall party
19 affiliation, and philosophical makeup of the
20 Commission. And I think we do generally accept
21 most of the recommendations from the regional
22 offices, but it's not automatic. And just as
23 we've had discussions in the past, there are times
24 even when the Commissioners might nominate
25 candidates, and that's something we have to take

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1 into account, as far as the overall balance of the
2 Committee, as well. So, I think it was just a
3 matter of trying to find the appropriate balance
4 on the Committee, and not any negative view
5 towards any particular individual. And this might
6 be someone that we could consider if vacancies
7 occur, or during the next re-chartering of the
8 Committee.

9 COMMISSIONER MELENDEZ: Right now,
10 though, is there an imbalance as far as men to
11 women. I thought it was, with excluding this
12 lady, now we end up with eight men to four women.

13
14 STAFF DIRECTOR DANNENFELSER: Well,
15 again, there were a number of different people who
16 were recommended. There were men who were
17 recommended, as well, that were not included on
18 the Committee. So, I think, again, it was more an
19 overall balance in terms of the vigorous debate
20 that could be provided by the Committee through
21 the balance of philosophical perspectives.

22 COMMISSIONER MELENDEZ: Well, I think
23 this is really imbalanced, so I just want to let
24 you know that I think we should have this lady on
25 there, as far as somebody in that sector where

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1 there's nobody else there. And we have overloaded
2 the sector on education with three people, and
3 we've got more than enough there, and that it
4 creates an imbalance on the gender. I'm just
5 saying it doesn't look very good to me. Thank
6 you.

7 CHAIRMAN REYNOLDS: Commissioner
8 Kirsanow, how do you vote?

9 COMMISSIONER KIRSANOW: Abstain.

10 CHAIRMAN REYNOLDS: Commissioner
11 Yaki.

12 COMMISSIONER YAKI: Abstain.

13 CHAIRMAN REYNOLDS: Commissioner
14 Melendez.

15 COMMISSIONER MELENDEZ: This is
16 Michigan. Right? Is that what we're voting on?

17 CHAIRMAN REYNOLDS: Yes.

18 COMMISSIONER MELENDEZ: Yes, I vote
19 against.

20 CHAIRMAN REYNOLDS: Commissioner
21 Taylor.

22 COMMISSIONER TAYLOR: Aye.

23 CHAIRMAN REYNOLDS: Commissioner
24 Heriot.

25 COMMISSIONER HERIOT: Aye.

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1 CHAIRMAN REYNOLDS: Commissioner
2 Gaziano.

3 COMMISSIONER GAZIANO: Aye.

4 CHAIRMAN REYNOLDS: Okay. We have
5 two abstentions, one from Commissioner Kirsanow,
6 the other from Commissioner Yaki. Commissioner
7 Melendez voted against the motion. The remaining
8 Commissioners voted for it. The motion passes.

9 Next up is the Utah State Advisory
10 Committee. I move that the Commission re-charter
11 the Utah State Advisory Committee. Under the
12 motion, the following individuals would serve,
13 Chyleen Arbon, Glenn Bailey, William Coleman,
14 Virginius Dabney, Marco Diaz, Michael Homer, Robyn
15 Kaelin, Daniel Levin, Edward Lewis, Rosa Maria
16 Martinez, Joanne Milner, David Parker, Betty
17 Sawyer, and Filia Uipi. Pursuant to the motion,
18 the Commission appoints Ms. Milner as the Chair of
19 the re-chartered State Advisory Committee. These
20 individuals will serve as uncompensated government
21 employees. And as is always the case, this motion
22 authorizes the Staff Director to execute the
23 needed paperwork. Is there a second?

24 COMMISSIONER MELENDEZ: Second.

25 CHAIRMAN REYNOLDS: Discussion?

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1 Commissioner Kirsanow, how do you vote?

2 COMMISSIONER KIRSANOW: Aye.

3 CHAIRMAN REYNOLDS: Commissioner
4 Yaki.

5 COMMISSIONER YAKI: Abstain.

6 CHAIRMAN REYNOLDS: Commissioner
7 Melendez.

8 COMMISSIONER MELENDEZ: I'll vote for
9 it, approve.

10 CHAIRMAN REYNOLDS: Commissioner
11 Taylor.

12 COMMISSIONER TAYLOR: Aye.

13 CHAIRMAN REYNOLDS: Commissioner
14 Heriot.

15 COMMISSIONER HERIOT: Aye.

16 CHAIRMAN REYNOLDS: Commissioner
17 Gaziano.

18 COMMISSIONER GAZIANO: Aye.

19 CHAIRMAN REYNOLDS: Okay. We have
20 one abstention, that was made by Commissioner
21 Yaki. The remaining Commissioners voted in the
22 affirmative. The motion passes.

23 Next up, Indiana. I move that the
24 following individuals be appointed to the Indiana
25 State Advisory Committee, Gerard Bradley, Amos

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1 Brown, Teri Nelson Cardwell, Elizabeth Cierzniak,
2 Stephanie DeKemper, Morella Dominguez, Christopher
3 Douglas, Robert Enlow, Susan Fuldauer, Leslie
4 Hiner, Jeffery Kimmell, Tony Kirkland, Patti
5 O'Callaghan, and Catherine Zuckert. Pursuant to
6 this motion, the Commission appoints Tony Kirkland
7 as Chair. These members will serve as
8 uncompensated government employees. And yes, the
9 Staff Director is authorized to execute the
10 necessary paperwork. Is there a second?

11 COMMISSIONER HERIOT: Second.

12 CHAIRMAN REYNOLDS: Discussion?

13 COMMISSIONER YAKI: Commissioner
14 Melendez here. There's -- of the 14 members,
15 there's two that are associated with the Friedman
16 Foundation for Educational Choice. One is the
17 President of the organization, and the other is
18 the Director of Programs. And my question would
19 be, how does having two people on this single
20 issue advocacy organization help the ideological
21 diversity of the SAC? I mean, when we think -- it
22 seems to me we should just have one person
23 representing an organization like that.

24 COMMISSIONER HERIOT: They're not
25 actually representing the organization, you know.

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COMMISSIONER YAKI: I know, but -

COMMISSIONER HERIOT: It just happens to be where they work. They have a diverse interest in issues, I would think.

CHAIRMAN REYNOLDS: And as demonstrated by our exchanges, just because we belong to a particular organization, or political party, that doesn't necessarily mean that we agree on the issues.

COMMISSIONER YAKI: This is a particular organization. It has a particular point -- this is not a political party. This is a specific job function, which two people from the same job function are put on the same SAC. That, to me, sincerely begs the question of how good was the outreach that we had to find two people who work in the same place to fill the slots.

CHAIRMAN REYNOLDS: As I said, I don't believe that -- I don't presume that because an individual works, or belongs to particular organizations that all the members think alike, that they agree on the approach, their important nuances.

COMMISSIONER MELENDEZ: Do we appoint

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1 people who have the exact same point of view on a
2 particular issue, on a civil rights issue. We are
3 saying that oh, but, on the other hand, we believe
4 that maybe there are some other issues that they
5 also have some interest about that would give them
6 the diversity that we need. I think that's just
7 really stretching it, Mr. Chair.

8 CHAIRMAN REYNOLDS: Well, I don't
9 believe that -

10 COMMISSIONER MELENDEZ: All the
11 people from the Anti-Hawaiian, Anti-Native
12 Sovereignty movement being appointed to the
13 Hawaiian SAC, is that somehow they're going to
14 bring other issues that they care about, when it's
15 very clear that they do not. So, I just think
16 that, once again, these SACs continue to be
17 unrepresentative, stacked, and poorly put together
18 in a way that truly finds any balance, or any
19 voice for the people for whom we are supposed to
20 be working on behalf of.

21 CHAIRMAN REYNOLDS: So, if I
22 understand you right, if we have two members of
23 the NAACP Legal Defense Fund on a SAC, that that,
24 in and of itself, would prevent the SAC from
25 having -- from being balanced in terms of

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1 viewpoint.

2 COMMISSIONER YAKI: I think that if
3 we can't do a better job of finding people from
4 diverse organizations and backgrounds, then I
5 think the presumption to be overcome is yes.

6 CHAIRMAN REYNOLDS: All right.
7 Commissioner Kirsanow, how do you vote?

8 COMMISSIONER KIRSANOW: Yes.

9 CHAIRMAN REYNOLDS: Commissioner
10 Yaki.

11 COMMISSIONER YAKI: No.

12 CHAIRMAN REYNOLDS: Commissioner
13 Melendez.

14 COMMISSIONER MELENDEZ: No.

15 CHAIRMAN REYNOLDS: Commissioner
16 Taylor.

17 COMMISSIONER TAYLOR: Abstain.

18 CHAIRMAN REYNOLDS: Commissioner
19 Heriot.

20 COMMISSIONER HERIOT: Yes.

21 CHAIRMAN REYNOLDS: Commissioner
22 Gaziano.

23 COMMISSIONER GAZIANO: Yes.

24 CHAIRMAN REYNOLDS: Okay. We have
25 one abstention from Commissioner Taylor. We have

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1 two nos from Commissioners Yaki and Melendez. The
2 remaining Commissioners voted in the affirmative.

3 The motion passes.

4 Next up is Nebraska. I move that we
5 re-charter the Nebraska SAC. Under this motion,
6 the following individuals would be appointed based
7 on the recommendation of the Staff Director,
8 Michelle Baumert, Glenn Freeman, Edmund Hamann,
9 William Harding, Rebecca Murray, Peter Longo, Cora
10 Micek, Chad Richter, Jose Soto, Kimberley Riley-
11 Taylor, and Kenneth Vampola. The Commission
12 appoints Mr. Freeman as the Chair. The members
13 will serve as uncompensated government employees.
14 Under the motion, the Staff Director is authorized
15 to execute the necessary paperwork. Is there a
16 second?

17 COMMISSIONER GAZIANO: Second.

18 CHAIRMAN REYNOLDS: Discussion?

19 COMMISSIONER MELENDEZ: Commissioner
20 Melendez. This one person, I believe it's Micek,
21 I'm not sure of her demonstrated interest in civil
22 rights, as I went through this. Could the Staff
23 Director explain how she is on the SAC?

24 STAFF DIRECTOR DANNENFELSER: I have
25 to find some information about her. She is a

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1 returning member, so that was someone who was
2 selected previously, and has the presumption of
3 reappointment, unless there is an objection to
4 that person.

5 COMMISSIONER MELENDEZ: Okay. All
6 right. That's all I had. I was just wondering if
7 she was a new person. And you say she's
8 returning. Okay. Thank you.

9 CHAIRMAN REYNOLDS: Commissioner
10 Kirsanow, how do you vote?

11 COMMISSIONER KIRSANOW: Aye.

12 CHAIRMAN REYNOLDS: Commissioner
13 Yaki.

14 COMMISSIONER YAKI: What?

15 CHAIRMAN REYNOLDS: How do you vote?

16 COMMISSIONER YAKI: Yes.

17 CHAIRMAN REYNOLDS: Commissioner
18 Melendez.

19 COMMISSIONER MELENDEZ: Yes.

20 CHAIRMAN REYNOLDS: Commissioner
21 Taylor.

22 COMMISSIONER TAYLOR: Yes.

23 CHAIRMAN REYNOLDS: Commissioner
24 Heriot.

25 COMMISSIONER HERIOT: Yes. But I'm

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1 not sure that I understood Commissioner Yaki's
2 vote there.

3 CHAIRMAN REYNOLDS: I believe he
4 voted in the affirmative.

5 COMMISSIONER YAKI: Actually, that's
6 not true.

7 CHAIRMAN REYNOLDS: Okay.

8 COMMISSIONER YAKI: My vote is no.

9 CHAIRMAN REYNOLDS: Okay. Good
10 catch, Commissioner Heriot.

11 COMMISSIONER HERIOT: I think he said
12 guess, instead of yes. Okay. That's -

13 CHAIRMAN REYNOLDS: Okay.
14 Commissioner Gaziano.

15 COMMISSIONER GAZIANO: Yes.

16 CHAIRMAN REYNOLDS: Now, I'm
17 worrying. Was that yes, or -

18 COMMISSIONER GAZIANO: That was an
19 aye, yes.

20 CHAIRMAN REYNOLDS: Okay.

21 COMMISSIONER GAZIANO: Yea.

22 CHAIRMAN REYNOLDS: Commissioner Yaki
23 voted against the motion. The remaining
24 Commissioners voted in the affirmative, unless I
25 got that wrong. The motion passes.

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1 Next up is the South Dakota State
2 Advisory Committee. I move that the Commission
3 re-charter South Dakota State Advisory Committee.

4 Under the motion, the Commission appoints the
5 following individuals to serve based on
6 recommendations of the Staff Director, Charles
7 Abourezk, Alicia Alvarez, Richard Braunstein,
8 Marcia Bunger, Joni Cutler, Scott German, Chris
9 Hupke, and Arlouine Gay Kingman, Mike Levsen,
10 Cassandra McKeown, Bernice Premack, Ronald
11 Williamson, and Ira W. Taken Alive. Okay.
12 Pursuant to the motion, Mr. Williamson would serve
13 as Chair. These members serve as uncompensated
14 government officials. The Staff Director is
15 authorized to execute the necessary paperwork. Is
16 there a second?

17 COMMISSIONER MELENDEZ: Second.

18 CHAIRMAN REYNOLDS: Discussion?

19 COMMISSIONER MELENDEZ: Commissioner
20 Melendez. Just a comment. I just wanted to say
21 that there are -- I'm pleased that there are some
22 Native Americans on this in a heavily populated
23 Native American state, so I just wanted to say I
24 support this one.

25 CHAIRMAN REYNOLDS: Okay.

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1 Commissioner Kirsanow, how do you vote?

2 COMMISSIONER KIRSANOW: Aye.

3 CHAIRMAN REYNOLDS: Commissioner
4 Yaki.

5 COMMISSIONER YAKI: Abstain.

6 CHAIRMAN REYNOLDS: I'm sorry?

7 COMMISSIONER YAKI: Abstain.

8 CHAIRMAN REYNOLDS: Commissioner
9 Melendez.

10 COMMISSIONER MELENDEZ: Yes.

11 CHAIRMAN REYNOLDS: Commissioner
12 Taylor.

13 COMMISSIONER TAYLOR: Yes.

14 CHAIRMAN REYNOLDS: Commissioner
15 Heriot?

16 COMMISSIONER HERIOT: Yes.

17 CHAIRMAN REYNOLDS: Commissioner
18 Gaziano.

19 COMMISSIONER GAZIANO: Yes.

20 CHAIRMAN REYNOLDS: Okay. One

21 abstention from Commissioner Yaki. The remaining

22 Commissioners voted in the affirmative. The

23 motion passes.

24 Folks, we're done.

25 COMMISSIONER TAYLOR: I want more.

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1 CHAIRMAN REYNOLDS: Okay. I see -

2 COMMISSIONER HERIOT: Me, too.

3 CHAIRMAN REYNOLDS: All right, folks,
4 until we chat again.

5 (Whereupon, the proceedings went off
6 the record at 12:39 p.m.)

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