

Members, Citizens Redistricting Commission
1130 K Street, Suite 101
Sacramento, CA 95814

Dear Citizens Redistricting Commission Members:

On behalf of the National Republican Congressional Committee, I am writing to express our deep disappointment in the hiring of the firm Q2 Data & Research (“Q2”) on Saturday, March 19, to draw district lines for the California Citizens Redistricting Commission. As you know, a principal of Q2 is Bruce Cain, a Democratic redistricting consultant for many years and one who was closely involved in the infamous 1981 gerrymander of California.

This is one in a series of acts by the Commission that leads us to question the fairness and intentions of the Commission. For example:

- a. We are perplexed by the lack of transparency in the hiring process for the Commission’s executive director, legal counsel and assistant legal counsel, all of whom are Democrats. Their basic resume information and applications have never been disclosed.
- b. We are concerned that the bid process that resulted in the hiring of Q2 may have been rigged in order to ensure Q2 was hired. The Commission nearly hired Q2 in late February 2011 at their Claremont meeting without any public notice whatsoever. The Commission then lowered the bid qualifications concerning redistricting experience from a minimum MSA level to a level that allowed Q2 to qualify. This bid qualification standard was lowered in the middle of the bidding process, on the final day for bidders to notify the Commission of their intent to bid, and only 5 days before the bid submission deadline. The Commission staff refused to address this untimely modification of the bidding process, except to say that “no one objected.” Neither the Commission nor its staff ever responded to public criticisms about this process at the Commission’s meetings on March 18th and 19th.
- c. We find it strange that the Commission refused to disqualify Q2 for its failure to disclose that Bruce Cain, a principal of Q2, was associated with Q2, which itself should have been a disqualifying conflict. Instead, after the fact, it ordered Q2 to firewall off Cain from this project.
- d. It is disconcerting that the Commission disqualified the highly respected Rose Institute on a 9-4 vote (without applying the supermajority requirement applicable to consultant hiring) on the specious ground that the Rose Institute failed to disclose for possible conflict review all of Claremont-McKenna College’s donors in the previous 10 years.

e. While the Commission did hire Gibson Dunn & Crutcher to serve as counsel on Voting Rights Act matters, thus presenting a bi-partisan stable of lawyers as legal counsel experts, a number of commissioners criticized Gibson Dunn attorney Dan Kolkey, a highly respected former Appeals Court Justice, because he was a registered Republican, and even suggested firewalling him from the Gibson Dunn team on that ground. No similar objections were made of any Democrat or ideological liberal in any applicant for this legal counsel expert position.

f. Lastly, we are concerned by the Commission's failure to select or hire the obviously-qualified Professor Paul McKaskle either as a commissioner or an expert redistricting consultant.

These and other issues raise serious questions about the Commission's commitment to fair and impartial conduct of the redistricting mandate. The NRCC will stay attuned to the Commission's activities and will encourage the citizens of California to do so as well in an effort to ensure that these serious questions about the Commission's commitment to fair and impartial redistricting aren't realized when the district lines are drawn.

Sincerely,

A handwritten signature in black ink, appearing to read 'Pete Sessions', with a long horizontal flourish extending to the right.

Representative Pete Sessions

Chairman, National Republican Congressional Committee