

**State Defendants' Response to Gonzales Plaintiffs'
Motion for Preliminary Injunction**

Exhibit T

2025 0721 1CS Senate Chambers (Part II) Transcript

TRANSCRIPTION OF AUDIO

SENATE CHAMBERS (PART II)

MONDAY, JULY 21, 2025

1 LIEUTENANT GOVERNOR PATRICK: The Senate
2 will come to order.

3 Members, let me read this to you, so it's
4 all clear. Members, as you know, the Senator from
5 District 9 resigned in June. His resignation letter
6 will be included in the journal for the record.

7 As a result of the Senator resigning and
8 taking another office, the holdover provision in the
9 Constitution does not apply and the Membership of the
10 Senate is now 30 Members.

11 Please be advised that all vote requirements
12 will be based on a total of 30 Members. This will
13 affect calculation of a quorum, the votes needed for
14 constitutional amendments, and other majority
15 Membership vote requirements as listed in the Senate
16 Rules.

17 (Off the record)

18 LIEUTENANT GOVERNOR PATRICK: Okay. Just
19 give one moment, I'll -- okay.

20 (Off the record)

21 LIEUTENANT GOVERNOR PATRICK: Senator West.

22 SENATOR WEST: If I may inquire.

23 LIEUTENANT GOVERNOR PATRICK: What's your
24 inquiry?

25 SENATOR WEST: So what is a -- on the --

1 there's 30 of us here. A quorum is what now?

2 LIEUTENANT GOVERNOR PATRICK: Twenty.

3 SENATOR WEST: Twenty?

4 LIEUTENANT GOVERNOR PATRICK: Two-thirds,
5 yes, sir.

6 SENATOR WEST: Okay. Thank you.

7 THE CLERK: And Senator Zaffirini.

8 LIEUTENANT GOVERNOR PATRICK: Senator
9 Zaffirini, what purpose?

10 SENATOR ZAFFIRINI: A statement to follow up
11 to your statement.

12 LIEUTENANT GOVERNOR PATRICK: Yes, ma'am,
13 you're recognized.

14 SENATOR ZAFFIRINI: That is simply that, on
15 the inside of the -- today's agenda and every agenda,
16 we have the vote total. So, if anybody wants to see
17 the votes as affected by the number 30, just look at
18 the insider of your agenda, which should be on your
19 desk every day, and they're all outlined there.

20 Thank you.

21 LIEUTENANT GOVERNOR PATRICK: Thank you to
22 you.

23 Senator King.

24 THE CLERK: Recognized for a motion to
25 suspend.

1 LIEUTENANT GOVERNOR PATRICK: You're
2 recognized for a motion to suspend --

3 SENATOR KING: Thank you, Mr. President.

4 I move the suspension of Senate Rule 8.02,
5 to permit immediate consideration of SR 5. Senate
6 Rule 8.02 requires that resolutions amending the
7 Senate Rules be referred to a committee before
8 consideration on the floor.

9 Some of the committee procedures in the
10 resolution provide more notice and more hearings than
11 in our permanent rules, thereby constituting a change.
12 The same provisions in SR 5 were adopted in 2021 and
13 2023, when we previously worked on redistricting.

14 I believe we're all very familiar with the
15 resolution and referral to committee is not needed.
16 Again, I move suspension of Rule 8.02.

17 LIEUTENANT GOVERNOR PATRICK: Senator
18 Menendez, what purpose?

19 SENATOR MENENDEZ: Questions of the author,
20 Mr. President.

21 LIEUTENANT GOVERNOR PATRICK: Do you yield?

22 SENATOR KING: Certainly.

23 SENATOR MENENDEZ: Thank you, Mr. President.
24 Thank you, Senator King.

25 Senator King, obviously, you know today is

1 Monday, July 2025, correct?

2 SENATOR KING: Yes, it is.

3 SENATOR MENENDEZ: So, being that it's 2025,
4 and -- we did redistricting in 2021, correct?

5 SENATOR KING: Yes, and also in 2023.

6 SENATOR MENENDEZ: 2023, and I think two
7 thousand -- maybe 2003. Are you -- are we sure we did
8 congressional redistricting? I think it was 2003, it
9 may have been the -- oh, I'm sorry. I thought you
10 said we did it in 2021.

11 SENATOR KING: Right.

12 SENATOR MENENDEZ: And then I said we also
13 did redistricting again in 2023.

14 SENATOR KING: 2023.

15 SENATOR MENENDEZ: Is it normal for us to do
16 mid-decennial redistricting; is that a normal
17 practice?

18 SENATOR KING: I guess it's what you recall,
19 in someone's own eyes, what's normal or not. Again, I
20 think you referred to we did congressional
21 redistricting in 2003, again, last in 2023, we did
22 House, Senate, and Congressional, and I think State
23 Board of Education, as well.

24 SENATOR MENENDEZ: I believe -- I think, in
25 2003, it was just congressional. I think was when Tom

1 Delay --

2 SENATOR KING: 2003 was just congressional.
3 2023 we did, again, all that we did in 2021.

4 SENATOR MENENDEZ: Did you -- this last
5 session, the regular session, this was a first-called
6 special session. Did you file a redistricting bill?

7 LIEUTENANT GOVERNOR PATRICK: I did not.

8 SENATOR MENENDEZ: Okay. You did not file
9 one during the redistricting -- during the regular
10 session. But here we are, a month after the session
11 ended.

12 So at what point did you determine that we
13 should have new congressional maps needed to be
14 redrawn?

15 SENATOR KING: Well, I haven't made that
16 determination. What we're on here today, as you know,
17 the Governor has put congressional redistricting on
18 the call for the special session.

19 SENATOR MENENDEZ: Correct.

20 SENATOR KING: And so the resolution before
21 us today is to empower the Lieutenant Governor, as
22 President of the Senate --

23 SENATOR MENENDEZ: Right.

24 SENATOR KING: -- to create a redistricting
25 committee, and then to establish procedures and rules

1 for that committee to operate under.

2 SENATOR MENENDEZ: Understood.

3 I guess my question is: If it's 2025, mid-
4 decennial, we -- you voted for the 2023 maps, right?
5 The congressional maps?

6 SENATOR KING: I did.

7 SENATOR MENENDEZ: You did. So you felt
8 those maps were appropriate, correct?

9 SENATOR KING: I did.

10 SENATOR MENENDEZ: Okay. So then, now, I'm
11 just trying to figure out why the Governor put this
12 redistricting call on this special session in 2025,
13 when I didn't hear anything about it during the
14 regular session. I'm just trying to understand.

15 Isn't it true that the Governor has received
16 a letter from the Department of Justice asking for
17 this?

18 SENATOR KING: I have seen a letter that was
19 addressed dually to the Attorney General and the
20 Lieutenant Governor.

21 SENATOR MENENDEZ: Okay. Let's look at the
22 letter.

23 So the letter was dated July 7th. And
24 you're right, it's addressed the Honorable Gregory
25 Abbott and the Honorable Ken Paxton. And in the

1 letter, it says -- I think, if you've seen the letter,
2 you recognize it. It addresses -- one, two, three --
3 four districts currently constitute unconstitutional
4 coalition districts.

5 What is a "coalition district"?

6 SENATOR KING: Respectfully, we'll have --
7 and it's a very valid question. But with respect,
8 we'll have a lot of time to talk about any particular
9 bill, any particular proposed map, any particular
10 amendments, and the law, and all of those at the
11 upcoming hearings.

12 Today, all we're doing is addressing this
13 particular resolution, and if I could ask that we
14 stick to that topic.

15 SENATOR MENENDEZ: Okay. The resolution at
16 hand. But the resolution is for us to have a
17 congressional redistricting committee appointed. Is
18 that correct? And I'm just trying to get to the
19 reason why we need it, and that's the confusion. So
20 many of my constituents have asked me these questions
21 and I'm representing my constituents, asking the
22 questions they're asking.

23 SENATOR KING: Again, I think those are very
24 legitimate questions for you to ask. I just think
25 that the proper time for us to discuss those, not just

1 me, but as a -- as the redistricting committee and as
2 the Senate as a whole, will be when we get into the
3 hearings.

4 Traditionally, 2023 and 2021, as far back as
5 you want to go, usually, in those early hearings, the
6 information-gathering hearings, different groups come
7 in and talk about redistricting law, the history of
8 redistricting in Texas, and they express their needs
9 and thoughts and concerns and wishes. And so -- and I
10 -- it will be a great time to get to all that then.

11 All we're doing here today is trying to pass
12 a resolution to allow the Lieutenant Governor to set
13 up the committee, and then some rules for that
14 committee to operate under.

15 SENATOR MENENDEZ: I respect the fact that
16 this is the beginning of the process. I think the
17 reality for me -- and then I understand the position
18 you're in, Senator King. But the position that I'm in
19 is that, as being a senator that represents as a
20 member of the minority party, I'm trying to take every
21 opportunity to show my constituents that I am
22 expressing and representing them by expressing the
23 same frustrations and the same concerns that they
24 share.

25 And so I appreciate the fact that you just

1 want to get the resolution passed, but I have to ask
2 the questions that -- the same -- just like you've
3 been elected by a million people that expect you to
4 represent them, I have been elected by a million
5 people in my district that expect me to do my job.
6 So, if you just indulge me, I only have a couple more
7 questions.

8 My understanding -- and I guess this is a
9 question that I have that -- and does the resolution
10 state how amendments will be entertained; does the
11 resolution speak to that?

12 SENATOR KING: Yeah. So, essentially, we'll
13 start off with the information-gathering hearings,
14 which has been the tradition of the Senate in past
15 years. And if and when a bill is filed proposing a
16 map, then we would convene a hearing. It would be --
17 will be a hearing in the Capitol. And the process for
18 considering that bill and for amendments and for votes
19 would be just like it is under the current rules for
20 any other bill that comes before any procedural
21 committee.

22 SENATOR MENENDEZ: Does the resolution speak
23 specifically to how amendments -- what hurdles they
24 have to achieve? Because my understanding is that, in
25 order for amendments to be entertained, that they have

1 to -- let me see what I have here -- they have
2 indicate population, voter data, incumbent locations
3 for the district affected by the amendment, and that
4 they have to have a report, a standard report by the
5 Texas Legislative Council. Is that an accurate
6 statement?

7 SENATOR KING: Yes. And that's been
8 included in the past. And the reason for that is
9 really for the benefit of all the Members, whether
10 they're on the committee or on the floor, that there
11 will be complete and full information with what
12 essentially is a floor packet, so everyone understands
13 what's in the map.

14 In other words, you're not just getting, as
15 you've seen before, something that looks like a legal
16 description on a deed of just a long list of metes and
17 bounds and that type of thing, but you're actually
18 getting something that's very clear and easy to
19 understand. You'll see the map; you'll have a summary
20 of exactly what it does. And again, this is exactly
21 the process that was used in 2023 and in 2021.

22 SENATOR MENENDEZ: So, in determining -- and
23 when you included it here, it says, in your -- does it
24 -- "population." I'm assuming that also means that
25 it's including the racial makeup of the population in

1 the districts. Is that correct?

2 SENATOR KING: I'm not sure, to be honest.

3 I know that it includes information as to the map and
4 to the population because, as you know, unlike house
5 and senate maps, where you're allowed some deviation,
6 on the congressional maps, it has to be precise.
7 There's very, very little deviation.

8 SENATOR MENENDEZ: Understood.

9 But I guess the reason I ask is because the
10 DOJ's letter states that it feels that there are
11 unconstitutional districts that are -- they want to --
12 the State of Texas to rectify race-based
13 considerations from these -- so, if you don't have the
14 race of the population, how do you address the
15 concerns of the Department of Justice?

16 SENATOR KING: So, again, these are probably
17 better questions to ask in a hearing on a particular
18 map.

19 But I would -- as far as the DOJ letter, I
20 have read it. I do not have any knowledge of the
21 facts they allege to be behind that conclusion or that
22 suggestion.

23 I would just refer you to the response by
24 the Office of the Attorney General, the trial group
25 that has handled the El Paso litigation that's

1 ongoing, and refer you to their response. And if
2 you're -- if you don't have that, we can certainly
3 provide a link to it.

4 SENATOR MENENDEZ: Thank you.

5 My last question. Do you -- is it your
6 belief that districts in which black and Latino voters
7 constitute a majority of the ineligible of the voters,
8 are they ineligible for inclusion in the final passed
9 map? What do you -- do you think that would -- they
10 would be ineligible?

11 SENATOR KING: So, again, I think today is
12 not the day to discuss --

13 SENATOR MENENDEZ: Okay.

14 SENATOR KING: -- the legalities of a map,
15 how redistricting should be done. There will be a
16 later time for that.

17 My intent is to look at everything from a
18 race-blind perspective, just as Senator Huffman did
19 when she chaired the committee in 2023 and 2021.

20 SENATOR MENENDEZ: Correct. But the letter
21 from the Department of Justice says that they need to
22 rectify the racial makeup of these districts, the
23 racial-based considerations. So then, if you use
24 race-blind objections or considerations, how do you
25 rectify that?

1 SENATOR KING: Well, I'm not sure there's
2 anything to rectify, to begin with. But I haven't
3 talked with anybody at the DOJ about the letter. The
4 extent that I -- of my knowledge in it is probably
5 just like yours; I've read the letter and then I --
6 which I was very surprise to see, I read the letter,
7 and then I also read the response by the Texas Office
8 of Attorney General that they filed with the Court --

9 SENATOR MENENDEZ: Appreciate your --

10 SENATOR KING: -- regarding the letter.

11 SENATOR MENENDEZ: Yeah. And one last --
12 and this is the last question. When people are
13 testifying, when people are having -- at the hearings,
14 will they be able to see potential proposed maps, or
15 are they just going to be asked to testify in general
16 terms?

17 SENATOR KING: So the past practice has been
18 to have a portal -- and we've already reopened the old
19 redistricting portal on the Texas Senate website, and
20 that allows anyone, anywhere, I guess, certainly
21 anyone in the State of Texas, to look at any map, to
22 make comments on any map. They can even offer their
23 own map or their own amendment proposals. Those will
24 be made available to -- certainly, to all the
25 committee Members as they are received, and then will

1 be available to the full Senate at any time they wish
2 to see those, as well.

3 So I will also assure you that my intent is
4 for all the committee hearings, whether they be
5 information-gathering or on a specific bill, that they
6 be very transparent, that everyone have the
7 opportunity to testify that wants to, and basically,
8 that everybody gets treated the way I want to be
9 treated. I want everybody to be treated well, and
10 I'll do my best to allow that. And I believe all the
11 Members of the Senate will try to do that.

12 SENATOR MENENDEZ: You have a long history
13 of being very respectful and -- of everyone, whether
14 people agree with you or not, and I know that you will
15 run a committee that's fair.

16 In doing so, will you consider the number of
17 people who are opposed to the redistricting, as
18 opposed to those who are in favor of the
19 redistricting? Because I haven't had one person call
20 me and ask me to take this up or to support
21 congressional redistricting in 2025.

22 And so I'm just wondering, if 99 percent of
23 the voters come out and see we don't feel this is
24 right, we shouldn't be drawing maps to select our
25 politicians, will you -- or politicians to select

1 their voters, that -- you know, that congressional
2 districts are just fine the way they are, would you be
3 inclined to drop the redistricting effort?

4 SENATOR KING: Would I be -- would you
5 repeat the last? Would I be inclined to?

6 SENATOR MENENDEZ: To stop the redistricting
7 effort if no one supports this redrawing of these
8 maps.

9 SENATOR KING: I don't -- I'm not sure it's
10 in my authority to stop or being --

11 SENATOR MENENDEZ: That's fair.

12 SENATOR KING: -- redistricting. It was put
13 on the call by the Governor, and we have a
14 constitutional duty to respond to everything that's on
15 the call.

16 I'll just tell you that we're representative
17 form of government. I know we all try to follow our
18 constituents' wishes to the greatest point we can. We
19 come down here and we listen, we study, we research.
20 And I have a feeling, at the end of the day, every
21 senator on the floor, and I know everyone on the
22 committee, I'm sure, will vote the way they believe
23 their district wants them to vote.

24 SENATOR MENENDEZ: Senator King, as always,
25 it's a pleasure to speak with you, to exchange ideas

1 and thoughts. And while I disagree with the direction
2 we're going, I appreciate your time in answering my
3 questions.

4 Thank you, Mr. President.

5 SENATOR KING: Thank you.

6 LIEUTENANT GOVERNOR PATRICK: Thank you,
7 Senator Menendez.

8 Senator Alvarado, you're up next. What
9 purpose?

10 SENATOR ALVARADO: Thank you, Mr. President.
11 To ask the author some questions.

12 LIEUTENANT GOVERNOR PATRICK: Do you yield?

13 SENATOR KING: I do.

14 And I do want to clarify one thing that I
15 said incorrect. In 2023, we did not take up
16 congressional redistricting because it was not the
17 subject -- not subject to the LRB jurisdiction.
18 However, we did adopt the same process for
19 redistricting in 2023 that we used in 2021. So just
20 to clarify that for Senator Menendez.

21 SENATOR ALVARADO: Okay. Senator King, I,
22 too, like Senator Menendez, have a lot of respect for
23 you, and you and I have worked together on many
24 issues.

25 Let's talk a little bit about some -- just

1 some basic things. Are we under a court order to take
2 up redistricting in a special session, in mid-decade?

3 SENATOR KING: Not to my knowledge.

4 SENATOR ALVARADO: Was there a law passed in
5 the regular session that is mandating that we take up
6 redistricting in a special session in a mid-decade?

7 SENATOR KING: No, not to my knowledge.

8 SENATOR ALVARADO: Have we received any new
9 data, any census numbers, any new demographics that is
10 compelling us to take up redistricting in a special
11 session in mid-decade?

12 SENATOR KING: I personally have not.

13 SENATOR ALVARADO: Okay. So here's a very
14 even simpler question. So why are we doing it?

15 SENATOR KING: What we're doing today is
16 we're responding to the Governor's call to take up
17 redistricting in this special session, and we're --
18 have under consideration the resolution that allows us
19 to begin that process.

20 SENATOR ALVARADO: Okay. But let's just --
21 let's dig a little bit deeper. Why do you think that
22 we're taking up this unprecedented move -- hasn't been
23 done since 2003, and before, I don't think it's ever
24 been done in Texas history -- why are we taking it up
25 now?

1 SENATOR KING: And I think that's a very
2 valid question and I think it's one that we'll have a
3 lot of time to talk about in hearings, but which I
4 hope those hearings will begin next Friday -- or this
5 Friday. But again, for today, if I can just hold us
6 to the resolution, that really all we're trying to do
7 today is just set up the committee and set up the
8 process, so that we can begin those kind of more-
9 detailed issues.

10 SENATOR ALVARADO: Do you have a map?

11 SENATOR KING: I do not have a map.

12 SENATOR ALVARADO: Who is drawing the map?

13 SENATOR KING: I'm not drawing a map. I
14 don't know of anyone here today. They may be, others
15 may be trying to draw a map, I'm not aware of that.

16 But traditionally, the way it's happened in
17 the past, is the Congressional Republican Caucus has
18 presented a map. But I haven't seen anything to date.
19 But I'm very confident, at some point, I will.

20 SENATOR ALVARADO: Do you know when you'll
21 have a hap?

22 SENATOR KING: I do not. I would not even
23 plan on looking at a map myself until after we got
24 through the information-gathering phase, which is the
25 first hearings that are on -- with the hearings on the

1 subject of the call. After that, that would be the
2 earliest time that I would even think about a bill.

3 SENATOR ALVARADO: Okay. So the last maps,
4 it was revealed in, I think one of the court cases,
5 perhaps, that a gentleman by the name of Adam Kincaid
6 drew the maps. Do you know him?

7 SENATOR KING: Yes, I --

8 SENATOR ALVARADO: You've heard --

9 SENATOR KING: -- do know --

10 SENATOR ALVARADO: -- the name?

11 SENATOR KING: -- Adam Kincaid.

12 SENATOR ALVARADO: Is he drawing the maps?

13 SENATOR KING: You probably want to ask him
14 that.

15 SENATOR ALVARADO: And where does Adam live?

16 SENATOR KING: I don't know.

17 SENATOR ALVARADO: Does he live in Texas?

18 SENATOR KING: No, I don't believe he does.

19 SENATOR ALVARADO: I think it's Virginia.

20 Okay. So I just wanted to make sure everybody knows
21 who drew the maps the last time and who might be
22 drawing them again.

23 SENATOR KING: I think he's the chair or the
24 CEO, I think it's called the Redistricting Project.

25 SENATOR ALVARADO: Okay. Well, I'm sure

1 we'll hear more about Adam Kincaid, who -- a non-Texan
2 from Virginia, drawing the maps. Okay.

3 Let's see. So redistricting was included on
4 the special session agenda because President Trump's
5 DOJ issued a memo asserting that Congressional
6 Districts 9, 18, 29, and 33 were unconstitutional
7 because of their racial composition.

8 Do you share President Trump's DOJ's view
9 about the racial composition of these districts and
10 agree redistricting should occur because of the
11 reasons cited by the DOJ?

12 SENATOR KING: I don't have an opinion on
13 the DOJ letter, as I mentioned to Senator Menendez.
14 My extent, digging into it, was that I read it and
15 then I requested a copy of the response that the
16 Attorney General's Office Litigation Team had
17 submitted to the Court in response to that letter, and
18 I've read that response. And that's the extent of my
19 knowledge on the letter or the allegations within it.

20 SENATOR ALVARADO: Okay. Well, speaking of
21 the DOJ letter, I assume you've read it. Okay.

22 So the letter, neither finds a violation of
23 law, nor engages in bonafide settlement efforts. It
24 raises concerns and asks for a same-day response.
25 It's kind of a fig leaf or a power grab.

1 Are you aware that the DOJ sued Texas in
2 2021, alleging that the congressional map
3 discriminated against minority voters and the Trump
4 administration dropped that suit after years of
5 litigation? Are you aware of that?

6 SENATOR KING: Generally, yes.

7 SENATOR ALVARADO: Okay. So it's too late
8 for the DOJ to be bringing up new litigation against
9 2021 maps, I would think, wouldn't you?

10 SENATOR KING: I -- again, I can't speak for
11 the DOJ. I've read the letter, I've read the
12 response, and I'm sure that the plaintiffs have filed
13 responses, as well, but I haven't read those.

14 SENATOR ALVARADO: Okay. So, since we're
15 talking about 2021, I believe you did vote for those
16 maps. Is that correct? And I think every Republican
17 member here voted for those maps. Is that correct?

18 SENATOR KING: I think -- I believe Senator
19 Huffman was the bill author.

20 SENATOR ALVARADO: Okay. But it was a
21 partisan vote; Republicans voted for the maps.

22 SENATOR KING: Redistricting usually is.

23 SENATOR ALVARADO: Right. Okay.

24 You know, I was looking back at some of the
25 debate going back and forth and 12 times on the senate

1 floor, the term "race-blind" was said in debate,
2 12 times; 11 times, the words "VRA compliance" was
3 said. So, with all of that and all of you all voting
4 for those maps, what's wrong with the maps? Why are
5 we doing it over?

6 SENATOR KING: Again, I can't speak to the
7 DOJ, to their -- I don't know any of their facts
8 behind that. I just read the letter, which was
9 conclusory in nature. And I would just refer you to
10 the filings by the parties, or, at some point, I'm
11 sure this will come up in hearings and there will be
12 discussions on that. But you know as much about the
13 letter as I do.

14 SENATOR ALVARADO: Okay. And I'm saying
15 that because I want people who are up in the gallery
16 or people who are tuning in to realize that these are
17 maps that you all supported and voted for. I just
18 want to make sure that's clear to everyone that's
19 paying attention.

20 Is the DOJ letter the only reason we are
21 considering redrawing the congressional districts or
22 is there other motivation?

23 SENATOR KING: Well, for the purposes of
24 what we're doing today, the reason for considering the
25 congressional redistricting is because the Governor

1 placed it on the call.

2 SENATOR ALVARADO: And do you know what
3 sparked the Governor to want to put this on the call?
4 Because I don't remember -- unless I'm just, you know,
5 forgetting. But I don't recall us having any
6 conversations during the regular session that we just
7 finished not too long ago. Did redistricting every
8 come up?

9 SENATOR KING: Not in my personal
10 discussions. But if you're referring to the call
11 itself, it does say legislation that provided a --
12 provides a revised congressional redistricting plan,
13 in light of constitutional concerns raised by the U.S.
14 Department of Justice.

15 And so, as we proceed forward, I know we'll
16 be discussing such things. But again, for the
17 purposes of today, it is just the resolution
18 establishing a committee, so that we can get into the
19 redistricting process.

20 SENATOR ALVARADO: Will the committee have
21 invited testimony -- and I don't -- I apologize, but
22 I'm not saying his name correctly -- Harmeet Fillon
23 [sic] -- Dhillon?

24 SENATOR KING: I don't --

25 SENATOR ALVARADO: That's the person at the

1 DOJ who signed the July 7th letter, requesting that we
2 engage in intentional discrimination.

3 SENATOR KING: So, assuming the committee
4 agrees with the process, what we would be doing is
5 notifying as many interested parties, interested
6 stakeholders, interest groups, as well as the general
7 public, to the greatest extent we could, of when the
8 hearings are.

9 I won't have -- I don't have any plans --
10 although that could change -- for specific invited
11 testimony. But as we talked on the phone Saturday or
12 Sunday, and as I've talked to Senator Parker, in your
13 roles as Caucus Chairs, anyone that you would like to
14 specifically testify, give me their names and I'll
15 make sure that they get to testify early on in the
16 hearings.

17 SENATOR ALVARADO: Okay. Well, I think the
18 person that signed this letter should come before the
19 committee, so I'm going to make an official request of
20 you and the committee that he be invited. And if we
21 have to go to D.C. and have a field hearing there, so
22 be it. But I think the person who wrote that letter
23 needs to come before the committee because I'm sure we
24 all have a lot of questions.

25 For example, what I would want to know about

1 is the letter complains -- claims that Congressional
2 Districts 9, 18, 29, and 33 -- by the way, three of
3 those are in Houston, and they all play a part in my
4 Senate District -- are unconstitutional coalition
5 districts. But this is baseless because the
6 Congressional District 29 is a majority Latino, see
7 that district, and it's not a coalition district.
8 Texas Legislators just testified in El Paso to that
9 very statement.

10 So I would have a lot of questions for the
11 person that signed that letter. So I'm hopeful,
12 mister -- Senator King, that you would want to
13 entertain that suggestion.

14 So, in the last census, Texas was given two
15 more additional seats, so we are at 38, second largest
16 delegation in the Congress. And do you know why we
17 got two additional seats?

18 SENATOR KING: The State has grown in
19 population by about 2 million, at minimum.

20 SENATOR ALVARADO: And what do you -- what
21 group would you attribute that growth to?

22 SENATOR KING: I don't recall the census
23 data in detail.

24 SENATOR ALVARADO: Well, 95 percent of the
25 population growth came from minorities, mostly

1 Latinos. Would you be surprised to know that
2 minorities did not get more representation, even
3 though we were the cause of that growth?

4 SENATOR KING: I'm not advised on that.

5 SENATOR ALVARADO: No. I mean, in fact, we
6 received less.

7 So, Mr. Chairman, I want to tell you tell
8 you that I look forward to a very robust debate and
9 conversation in the days to come.

10 SENATOR KING: Yes.

11 SENATOR ALVARADO: Thank you.

12 SENATOR KING: And thank you for agreeing to
13 serve on the committee, as well.

14 LIEUTENANT GOVERNOR PATRICK: Senator
15 Blanco, what purpose?

16 SENATOR BLANCO: Questions for the author.

17 LIEUTENANT GOVERNOR PATRICK: Do you yield?

18 SENATOR KING: Certainly.

19 SENATOR BLANCO: Thank you, Senator King,
20 appreciate the opportunity to ask a couple of
21 questions.

22 It's extraordinary what we're doing. I
23 think, in Texas history, we've only done mid-decade
24 redistricting twice. Is that correct?

25 SENATOR KING: I only go back to 1999. But

1 I -- as far as I know, that's correct, although,
2 really, I'm speaking from ignorance there because I
3 never really looked back. Yeah.

4 I can tell you that there's no prohibition
5 against having redistricting every year, if the State
6 wants to.

7 SENATOR BLANCO: Right.

8 Well, would you agree that redistricting is
9 one of the most fundamental aspects of our democracy
10 and it ensures that everyone has a voice in our
11 government?

12 SENATOR KING: Well, apportionment and
13 redistricting was part of our original constitution,
14 to make sure that the populations were balanced out
15 within the various congressional districts in the
16 Constitution.

17 SENATOR BLANCO: Right.

18 So you would agree that redistricting is
19 paramount for communities of color and for communities
20 of interests, to have a fair shot of electing the
21 candidates who are going to represent their worldwide
22 view and who are going to fight for their concerns or
23 it can exclude them from having a seat at the table.
24 Is that -- do you think that's correct, that's
25 accurate?

1 SENATOR KING: I'm not sure I understand the
2 question. Could you repeat it please?

3 SENATOR BLANCO: That redistricting
4 guarantees people have a representative that is going
5 to voice their concerns, to have a seat at the table;
6 that's what redistricting allows to do.

7 SENATOR KING: Well, I think at its most
8 fundamental point, it makes sure that, if you're in a
9 district with 100,000 people and I'm in a district
10 with 50,000 people, automatically, my vote is worth
11 twice what yours is. And so the fundamental point of
12 redistricting is to balance out those populations.

13 SENATOR BLANCO: Right. Okay.

14 The reason I'm asking this, Senator King, is
15 because, under this compressed window, where we're
16 doing this redistricting in this special session, I'm
17 really concerned that the public and the Texans across
18 our vast state will not have an opportunity to provide
19 their input, to provide their views about their
20 communities, about their interests and representation.

21 So I saw, in Section 2 of your resolution,
22 under Subsection (b), that the redistricting committee
23 may meet to conduct a regional hearing in any location
24 that the chair determines. Is that accurate?

25 SENATOR KING: Yes, that's correct.

1 SENATOR BLANCO: Can you elaborate on this
2 section and what that means for public participation?

3 SENATOR KING: Okay. So, at this time,
4 anyway -- and we'll have discussions with the
5 committee. But at this time, I would envision -- and
6 I'm not sure yet -- but I would envision that we would
7 have regional hearings, at least four, beginning next
8 Friday; we would hold one Friday, Saturday, Monday,
9 and Tuesday.

10 One of those, possibly two, would be evening
11 hours because, in the past, I found that -- when I
12 chaired this in the House, that there's a lot of
13 people that would say look, I work in the daytime, and
14 so I can't participate, and I want to participate. So
15 we'd -- we'll hold evenings.

16 We'll continue those for as long as they
17 seem necessary, I think at least four that -- the
18 House is doing four. They would be virtual, but
19 regional in nature. So, for example, it might be
20 Friday that we would do North Texas, but we would
21 invite the entire state, but we -- they would
22 understand, by announcement, that the focus was North
23 Texas. But anyone in the State of Texas could view
24 those.

25 We would -- those are for -- those are

1 informational-gathering hearings, simply for the
2 purpose of gathering information on the call itself,
3 the subject matter of the call.

4 Then, after that, at some point, I'm
5 assuming a bill would be filed in the Senate, or
6 possibly a bill would come over from the House, and we
7 would have traditional, in-person hearings in the
8 building, and those would be conducted in the same --
9 as the resolution says, in the same manner as the --
10 as traditional bills are in any committee.

11 The time tables are changed a little bit in
12 the special session, in this resolution, from 72 to 48
13 hours, I believe. And part of that is because of the
14 nature of redistricting and the need to work in the
15 time table that we have before us. Again, we're
16 following the same procedures that were used in 2021
17 and 2023 and were voted on at 31-0 by this body.

18 SENATOR BLANCO: So we're going to have
19 virtual hearings.

20 SENATOR KING: Well, I'm not saying
21 steadfast that we won't have traveling hearings, in-
22 person hearings. But I can make a really good
23 argument that the virtual hearings are actually more
24 open to the public because we've gotten so good at
25 Zoom, and that it will allow people to not have to

1 travel from Amarillo or Beaumont to be a part of that
2 hearing. But I'm not ruling out the fact that we
3 could also do some hearings in the field -- maybe
4 that's a better way to put it -- as opposed to
5 virtual.

6 SENATOR BLANCO: Well, that's pretty
7 extraordinary. When was the last time we had virtual
8 hearings?

9 SENATOR KING: In redistricting, in 2021,
10 and I believe again in 2023.

11 SENATOR BLANCO: We had them during COVID,
12 as well. Is that --

13 SENATOR KING: We did, yes.

14 SENATOR BLANCO: Okay. I'm asking these
15 questions -- well, first, can you tell me how many
16 hearings, regional hearings, we had in 2021,
17 redistricting?

18 SENATOR KING: I'm sorry. I don't have that
19 information.

20 SENATOR BLANCO: Well, we had over 12
21 regional hearings, and those hearings were in person,
22 and they were to solicit input and feedback from
23 Texans about their communities and their
24 representation. Now we're talking about virtual,
25 maybe 4.

1 SENATOR KING: If I recall, I believe that
2 those were held prior to the beginning of the session.
3 In fact, every interim, right before the decennial
4 census, generally, the senate committees -- and I
5 believe the House has done the same thing -- will hold
6 regional hearings around the State in preparation for
7 redistricting.

8 Because this was a special session, there
9 wasn't the opportunity to do those ahead of time, so
10 we'll do them in the most open and transparent and
11 participatory way we can during the session. And I
12 believe, again, that was what was done in 2021, very
13 successfully, and in 2023.

14 SENATOR BLANCO: So Chairwoman Huffman had a
15 statewide regional hearing, she had a hearing in El
16 Paso and the Austin Region, the Houston Region, the
17 Dallas/Fort Worth Region, San Antonio. The Rio Grande
18 Valley had a hearing, East Texas, Central Texas, North
19 Texas. South Texans had an opportunity to weigh in.
20 West Texas had a region, as well. There were 12, 12
21 hearing where people were able to provide public
22 input.

23 Is there a reason why we are providing less
24 opportunity to participate? I know this is the
25 Governor's call and I know that we're in a very

1 condensed window. But we're talking about fundamental
2 representation here and we're talking about only four
3 hearings, virtual, maybe not. My concern is that:
4 Are we actually providing the public an opportunity?
5 Are we giving -- or are we giving them less
6 opportunity to participate in this go around?

7 SENATOR KING: Well, I know it's a matter of
8 personal opinion, but I actually think the virtual
9 hearings are more open and more transparent and allow
10 more people to participate because we will do a very
11 thorough job and would really appreciate every
12 member's help in getting out the notices of the
13 hearings.

14 But every person in the State of Texas will
15 have -- everybody is very familiar with Zoom now.
16 Everybody will have the opportunity to Zoom in on
17 those hearings. If they wish to testify, they'll be
18 able to preregister and will -- my commitment is that
19 those hearings will be as transparent and as open to
20 the public as they can possibly be.

21 And I think it's actually more -- when I've
22 gone, I've gone on probably -- I don't know -- 10, 11
23 field hearings myself in the past. And what I always
24 ran into is people said well, I can't find a parking
25 place at the university campus, or I don't have

1 transportation there, or I don't have childcare, or I
2 work during the daytime, or I work during the evening,
3 or I can only do it on weekends.

4 And to me, that's a call to support the
5 virtual hearings for any Texan with an iPhone or a
6 computer can fully participate in that, without
7 travel, without having someone to watch their kids,
8 without missing work. And so I would actually argue
9 that it's a much more open process to do it by region.

10 We can say this is the Houston Region for
11 this hearing, but everyone from Texas will be able to
12 participate on that, not just the people that can get
13 in and drive down to the location in Downtown Houston.

14 SENATOR BLANCO: Well, I -- you know, I --
15 you know, I have the greatest respect for you,
16 Senator. I just -- earlier, you had mentioned that
17 this resolution is no different from the resolution
18 from 2021; however, Senator Huffman had 12 hearings.
19 You're talking about 4 hearings. How do we square
20 that? Like that's a big difference, that's a big
21 delta there.

22 SENATOR KING: Well, there's no limitation
23 in this as to how many hearings we have. But for the
24 purpose of today, again, this is a mirror image of
25 what passed 31-0 in 2021 and 2023, in this body. The

1 only difference is that it doesn't include SBOE, Texas
2 House, or Texas Senate. Other than that, it's a
3 mirror image.

4 SENATOR BLANCO: Can you walk us through the
5 posting process, if we're going to virtual? How does
6 that work?

7 SENATOR KING: I generally can.

8 Well, first off, again, we've opened the
9 portal that anyone in Texas can access. And we'll --
10 and there's a pretty long list of special interest
11 groups, groups of concern that, traditionally, come
12 and testify at hearings. We have that from past
13 hearings. We will make sure that each of those are,
14 individually and very quickly, probably tomorrow
15 morning, notified of the hearing. I would bet most of
16 them are watching right now.

17 We will also send each senator notices of
18 that, with a request that you send this out in your
19 district, through your email or Twitter or Facebook,
20 whatever it is that you use. And then we'll also go
21 through the normal posting process, as required by the
22 Senate Rules.

23 So we'll try to get out there as much as we
24 can. And when -- the virtual hearings that I have
25 attended or watched before, there never seemed to be a

1 shortage -- in fact, there never seemed to be a
2 shortage of people that were able to find out about it
3 and get online.

4 SENATOR BLANCO: I appreciate that, Senator.

5 I -- again, we've got -- we have precedent
6 in the 2021 redistricting and previous redistrictings
7 that we had well over 10, 11, 12 regional hearings. I
8 think it's important that all of us, all of our
9 constituents in this body, have an opportunity to
10 weigh in on how those maps are drawn, their concerns,
11 their interests because, at the end of the day, if
12 we're not listening to the Texans that we represent
13 and hearing from their concerns, then who are we
14 listening to when these maps get drawn.

15 I thank you for your time and the questions.

16 SENATOR KING: And thank you. And again, as
17 is practiced in all our committees, any senator is
18 welcome to sit in on any hearing that we're having,
19 whether it be information-gathering or on a specific
20 bill that's been filed.

21 LIEUTENANT GOVERNOR PATRICK: Thank you,
22 Senator.

23 Senator King, we're all a little rusty. So
24 you actually never got a chance to pay out a
25 resolution.

1 SENATOR KING: I was wondering --

2 LIEUTENANT GOVERNOR PATRICK: We --

3 SENATOR KING: -- about that, too.

4 LIEUTENANT GOVERNOR PATRICK: We immediately
5 went to questions. So, if you'd like to do that, we
6 have two, four, five more questioners. But if you'd
7 like to actually lay out --

8 SENATOR KING: Thank you --

9 LIEUTENANT GOVERNOR PATRICK: Hold on.

10 SENATOR KING: -- Mr. President.

11 LIEUTENANT GOVERNOR PATRICK: Hold on one
12 second. Hold on one second. Yeah, and we are on
13 suspension and we --

14 (Participants confer)

15 LIEUTENANT GOVERNOR PATRICK: Yeah. But you
16 can lay out. You just -- I never gave you the
17 opportunity to do that.

18 SENATOR WEST: So I moved for suspension of
19 Rule 8.02.

20 LIEUTENANT GOVERNOR PATRICK: Right.

21 SENATOR WEST: And --

22 LIEUTENANT GOVERNOR PATRICK: And then I
23 immediately went to a question.

24 SENATOR WEST: Immediately went to a
25 question. So would not the next step be to rule on

1 that motion?

2 LIEUTENANT GOVERNOR PATRICK: Yeah. We
3 would rule on that motion after everyone asked their
4 questions. I just wanted to give you the opportunity
5 to lay out the resolution, which you didn't have.

6 Yes, sir.

7 UNIDENTIFIED: Does the -- pardon me --
8 waive the --

9 LIEUTENANT GOVERNOR PATRICK: Yeah, state
10 your inquiry.

11 UNIDENTIFIED: Does the resolution have to
12 be distributed to the Members?

13 LIEUTENANT GOVERNOR PATRICK: We'll go ahead
14 and pass it out.

15 UNIDENTIFIED: Good idea.

16 LIEUTENANT GOVERNOR PATRICK: Yeah.

17 (Participants confer)

18 LIEUTENANT GOVERNOR PATRICK: Yeah, we're on
19 suspension. We just went a little quickly there.

20 (Participants confer)

21 (Pause in proceedings)

22 LIEUTENANT GOVERNOR PATRICK: And Members,
23 as you know, normally, when you lay out your bill on
24 suspension, you lay out your bill, and then the
25 questions come. We just took the questions right

1 away. I saw Senator Menendez standing, ready to go,
2 and I just recognized him.

3 Does everyone have a copy?

4 Senator King.

5 SENATOR KING: Thank you. And Members --
6 and sorry for my confusion, as well, Mr. President.
7 Normally, a resolution of this nature would -- you
8 could lay it out in pretty summary fashion. But
9 because of the unique nature of redistricting, with
10 your permission, I'd like to go into a little more
11 detail, if no one objects.

12 As you all know, Governor Abbott added to
13 the special session call for the Legislature to revise
14 the congressional redistricting plan. His session
15 proclamation states:

16 "Legislation that provides a revised
17 congressional redistricting plan in light of
18 constitutional concerns raised by the U.S. Department
19 of Justice."

20 For that reason, we need to adopt this
21 resolution today that is designed to address the
22 unique nature of redistricting and to ensure a fair
23 and transparent process. The procedures in this
24 resolution are exactly as we adopted in 2021 SR 4, and
25 then again in 2023, SR 2.

1 The only difference is the resolution is
2 narrowed to congressional redistricting. This
3 includes the committee name, "Special Committee on
4 Congressional Redistricting." And in narrowing the
5 jurisdiction to congressional redistricting only, it
6 deletes references to the SBOE, the Texas House, and
7 the Texas Senate.

8 As I mentioned earlier, these procedures
9 were adopted 31 O and 2021 and in 2023. I believe
10 it's in our best interests to carry out the same
11 procedures and process in this session. I intend for
12 this resolution to equip us for success in adopting
13 lawful maps through a fair and transparent process.
14 Using the same procedures this session as we have in
15 prior sessions is, I believe, the best way to achieve
16 this. The public, our legislators, and staff are
17 familiar with this exiting process.

18 If you wish to take a look at the
19 resolution, Section 1, this section authorizes the
20 presiding officer to create a Special Committee on
21 Congressional Redistricting and provides for the
22 jurisdiction and powers of the committee.

23 Section 2, which is titled "Regional
24 Hearings and Video Conference Testimony," this
25 resolution allows -- or this section, rather, allows

1 the committee to hold regional hearings in the Capitol
2 and provide a process for the public to participate in
3 those hearings via video conferencing, just as we did
4 in 2021 and 2023. This was created as an exception to
5 the Senate Rules, so we could reach as many
6 constituents as possible before beginning to work on a
7 map.

8 By using the video testimony, we were able
9 to reach constituents at the top of the panhandle in
10 Buffalo Springs, all the way to El Paso in the west,
11 Brownsville in the south, Texarkana in the east, all
12 at the same time.

13 Public notice of each regional hearing will
14 include a link where Members of the public may
15 register to testify via Zoom, after completing a
16 required witness affirmation form.

17 Video conference participation in these
18 regional hearings will be conducted the same as last
19 time, with witnesses called up in panels on Zoom to
20 testify before all senators present, and senators are
21 all permitted to ask questions.

22 These regional hearings will also be
23 livestreamed and archived on the senate website.

24 This will ensure that any Texan can
25 participate in our regional hearings, regardless of

1 whether they are in that region or not, and that we
2 can have conversations with people from all parts of
3 the state about their local communities, and thereby
4 assist us in this critical task of redistricting.

5 Section 2 also states that no formal action
6 on any bills, outside of adopting committee rules,
7 will take place at regional hearings. This is in
8 order to focus our efforts on receiving input from the
9 public on the subject matter of the call.

10 Section 3, public notice of meetings. The
11 resolution establishes a time line to ensure ample
12 public notice of any regional hearings, bills, and
13 proposed amendments. Regional hearings must be
14 publicly posted at least 48 hours in advance during
15 the special session, although we will give as much
16 notice beyond that as we can. Bill hearings must be
17 posted at least 48 hours in advance, though, again, we
18 will try to give more notice whenever possible.

19 Section 4, consideration of redistricting
20 bills by the senate. The resolution also establishes
21 a process to make floor amendment packets as useful as
22 possible by requiring inclusion of maps that show the
23 proposed changes, as well as legislative council
24 reports with data on the plan.

25 Floor amendments must be proposed at least

1 24 hours before they are voted on and must be made
2 publicly available as soon as possible after they are
3 filed. This ensures that the process for considering
4 and adopting floor amendments is clear, both
5 amendments -- both to Members and the public.

6 I'd like to point out that some of the floor
7 deadlines may not apply if we are in the final days of
8 the special session. We are still subject to
9 constitutional and end of session legislative
10 deadlines. Again, we all agreed to this in 2021 and
11 2023.

12 You have my commitment that I will work with
13 each and every one of you to be transparent and
14 provide you -- and to provide you with as much time as
15 I can, so that we can be deliberate and produce a
16 lawful map.

17 A few other things to note. We have
18 reestablished, as I mentioned earlier in the
19 questions, the public input portal on the committee
20 website that has been used in prior sessions very
21 successfully, so that any interested party can submit
22 written comments on redistricting.

23 All portal submissions are shared with each
24 of you and publicly posted on the website. The portal
25 will remain active throughout the redistricting

1 process, and I encourage you to share it with your
2 constituents and other stakeholders, so we may
3 continue to solicit robust public input.

4 And finally, Members, I really want to put
5 in place the same level of transparency that
6 Chairwoman Huffman instituted in 2021 and 2023, during
7 those redistricting processes. I would just ask for
8 your support on this resolution, as it provides an
9 additional tool for constituents to voice their input
10 on this critically important task, and because it is
11 designed to maximize notice and transparency in this
12 process.

13 Furthermore, this resolution will allow the
14 committee to begin holding those regional hearings as
15 soon as possible, which I would anticipate being
16 Friday. This resolution is a targeted tool that has
17 been very successful in past sessions, and I hope you
18 will support it again.

19 And again, Mr. President, I'm happy to
20 answer any questions. And with that, again, I would
21 move for a adoption of -- well, I guess we're still on
22 the suspension of the rule.

23 LIEUTENANT GOVERNOR PATRICK: Still on
24 suspension.

25 So we have a few more who want to speak.

1 Senator Cook, what purpose?

2 SENATOR COOK: To ask a few questions of the
3 author. Thank you, Mr. President.

4 LIEUTENANT GOVERNOR PATRICK: Yes.

5 SENATOR COOK: This feels like déjà vu.

6 Thank you so much, Senator King.

7 So what new data do we have to inform this
8 process? Because, normally, there's new census data.
9 And so, when we re-engage all of these interest groups
10 and folks, there's something new to talk about. What
11 new data do we have?

12 SENATOR KING: Well, that's what we'll find
13 out in the hearings. Traditionally, in the
14 information-gathering hearings, groups come and talk
15 on demographic changes, communities of interest, just
16 a wide variety of things, and that's where we gather
17 data to take into consideration when we actually begin
18 to look at a bill.

19 SENATOR COOK: Okay. And I want to
20 understand the resolution, the spirit behind it. And
21 I've heard you say a couple of times that we,
22 collectively, are here to do is to fulfill the call of
23 the Governor, which, of course, is mechanically true.

24 What called you to file the resolution and
25 to kind of take ownership of that?

1 SENATOR KING: Because I was asked to chair
2 the committee by the President of the Senate.

3 SENATOR COOK: So it's fair to say you're
4 following orders.

5 SENATOR KING: I always try to do what the
6 President of the Senate asks, if I can. And I was
7 very honored to get to serve in this capacity.

8 SENATOR COOK: Is there anything that you've
9 seen, relating to racial justice, fair representation,
10 the democratic process, that weighed into your
11 decision?

12 SENATOR KING: Well, the first thing was
13 that it's been put on the call.

14 Also, you know, it is completely legal and
15 appropriate for redistricting to be considered in non-
16 decennial census years; it's been done in the past.
17 We're halfway through the decade. There's no reason
18 to -- with all of Texas' growth, to not assume that
19 there have been changes in population.

20 People move in and out. And I know my -- I
21 know my home county, two years ago, was the sixth-
22 fastest-growing county in America. So there have been
23 changes and it's reasonable to take a look at that.

24 SENATOR COOK: And I heard you say earlier
25 -- it was a little bit off the cuff, but I think you

1 said we could redistrict every year. The writers of
2 our State Constitution definitely put in ten years for
3 our state lines, right? So do you really think -- and
4 I'm just trying to understand your thought process on
5 this. Do you really think redistricting every year
6 would be --

7 SENATOR KING: I'm not an expert --

8 SENATOR COOK: -- a good idea?

9 SENATOR KING: -- on redistricting law, but
10 I think you can do it as often as you wish. Now --

11 SENATOR COOK: But do you think that's in
12 the best interests of like the function of our
13 democracy and the People of Texas?

14 SENATOR KING: You know, I think things
15 changed, and sometimes, it would be called for, and
16 other times, it would not.

17 SENATOR COOK: Thank you.

18 On Page 4, under E, it says:

19 "A bill will filed amendments, subject to
20 Subsection (d), is not eligible for consideration
21 until 24 hours after amendment packets have been made
22 available to Members of the Senate."

23 Which makes sense. Of course, I always want
24 more time. But is there a certain number of votes
25 that can bust past that rule? Because sometimes we do

1 that in here.

2 SENATOR KING: That's probably a better
3 thing for a parliamentary inquiry.

4 SENATOR COOK: Okay. I just wanted to make
5 sure that we're sticking to that.

6 I appreciate everything you've said about
7 virtual hearings. Do we have a guarantee from you
8 that every speaker will be able to speak? Sometimes,
9 when there are super long lists, we cut off at a
10 certain time or people lose minutes. Do we have a
11 guarantee from you, as we vote on this resolution,
12 that folks will be able to speak the full time and
13 everyone in the state who wants to make their voice
14 heard will be able to?

15 SENATOR KING: Well, in every committee we
16 have, in special sessions or in regular sessions, one
17 of the committee chair's most difficult job is to try
18 to make sure that everybody is heard. To do that, we
19 often put time limits on invited testimony, time
20 limits on other testimony. We try to keep people
21 moving along. All of us usually try to go as long as
22 we can, and that's why we have hearings, sometimes,
23 until 3:00 or 4:00 in the morning. So my hope would
24 be to make sure that everybody that wishes to testify
25 has the opportunity to testify.

1 SENATOR COOK: And then my last question for
2 you is: What is your measure of successful
3 redistricting? You know, random scenario I'm going to
4 pick out of the air. If five districts go from having
5 minority representatives to having white
6 representatives, would that be a successful, an
7 unsuccessful redistricting process? What's your view
8 on kind of your evaluation criteria and what you want
9 to see?

10 SENATOR KING: Well, first, I have no
11 intention whatsoever at considering race data in any
12 map or any hearing.

13 I guess my personal measure of success would
14 be to use a member of the senate, but I conducted in a
15 fair and transparent process, and we worked really
16 hard to let everybody participate in the State that
17 wanted to, and that we -- were any bills to move
18 forward, that they move forward under the rules of the
19 Senate, and that everybody will think that I did my
20 job as chair at the end.

21 SENATOR COOK: And I agree with that
22 process-wise, and I know you'll run a tight committee.
23 I'm thinking more of a policy evaluation criteria. If
24 we lose three minority representatives in Congress and
25 we end up with three white representatives in

1 Congress, based on what the DOJ letter has said, would
2 you have an issue with that, would that be a problem,
3 or would that be a successful redistricting because
4 the lines got moved?

5 SENATOR KING: I'm going to support the
6 decision of the committee and the decision of the
7 Texas Senate.

8 SENATOR COOK: Okay. And just one final
9 time, I just want to ask you. What -- if we're
10 redrawing lines, normally we do it because there's
11 been demographic shifts, population changes, right?
12 We need to reapportion the Members of congress, so
13 that everyone has an equal district, that's kind of
14 the fundamental basis. What are you seeing right now
15 that prompted you to file this resolution?

16 SENATOR KING: Well, we can't begin the work
17 of the call until we have the resolution in place.
18 Simple common says, also -- I think where you're going
19 -- is that the population has dramatically changed in
20 Texas, has moved around a lot. I think it's
21 reasonable for us to pursue this process.

22 But the primary reason we're here is because
23 the Governor placed this on the call and we have a
24 constitutional duty to show up for work and do our
25 job. And the first step in that is to pass this

1 resolution, and then we can try to gather information,
2 and then we can decide what, if any, bills will be
3 considered, and whether or not they will pass the
4 body.

5 SENATOR COOK: Thank you, Senator King.
6 Thank you, Mr. President.

7 LIEUTENANT GOVERNOR PATRICK: Members and
8 for anyone watching online, the resolution is
9 available on line.

10 Senator Gutierrez, for what purpose?

11 SENATOR GUTIERREZ: To ask a few Members of
12 the Senator -- a few questions of the Senator.

13 LIEUTENANT GOVERNOR PATRICK: Do you yield?

14 SENATOR KING: Yes, of course.

15 SENATOR GUTIERREZ: Senator King, I
16 apologize to you in advance, I apologize to you that I
17 am angry. I think this is a tremendous waste of time.
18 I think it's a tremendous waste of resources. I think
19 that there are people that have died all throughout
20 this state in a horrible flood, and that's the only
21 thing that we should be focusing on.

22 I had a whole list of questions here that
23 you've rightly told others well, we're not there,
24 we're only going to discuss the rules. So I made a
25 bunch of notes on the things that you've responded to

1 and the things that you've said. So I think that
2 probably is relevant and we're going to stick to that,
3 if that's okay, to your comments.

4 The first thing you said is that the
5 Governor put this on the call and we have a
6 constitutionally duty or we're constitutionally bound
7 to come in here and do this because the Governor said
8 so. That's your answer, correct?

9 SENATOR KING: No, that's not correct.

10 SENATOR GUTIERREZ: Well, tell us what the
11 answer is then.

12 SENATOR KING: What I tried to communicate
13 was that, in a special session, you cannot take up any
14 subject except that which is put on the call. The
15 longstanding tradition of the Texas Senate is, if the
16 Governor puts something on the call, that we take that
17 up, and that this resolution is necessary for us to
18 pursue that objective.

19 SENATOR GUTIERREZ: And if the Governor put
20 on a senate redistricting, Texas Senate redistricting,
21 on the call, which he has not, if he put that, then
22 you would do that, too.

23 SENATOR KING: Yes.

24 SENATOR GUTIERREZ: If he put something that
25 said Phil, you're going to have to get yourself out of

1 your district because it's racially gerrymandered, one
2 way or another, and we're going to write you out of
3 that district, you would do that, too?

4 SENATOR KING: Again, and that's why we're
5 having a resolution that everybody gets to vote on,
6 but I believe that, if the Governor puts something on
7 the call, the longstanding tradition of the Senate has
8 been to take those matters up. And because we do not
9 have a redistricting committee, nor processes for it,
10 nor complete processes for it, that's why we're
11 considering this resolution today.

12 SENATOR GUTIERREZ: And his -- in his
13 resolution, it only says that we will come in here to
14 take up congressional redistricting, that's it. It
15 doesn't say anything to what the Department of Justice
16 letter said, that the previous congressional districts
17 in Texas constitute unconstitutionally based racial
18 gerrymandering; his call doesn't suggest that.

19 SENATOR KING: The call says what it says.

20 SENATOR GUTIERREZ: Uh-huh.

21 SENATOR KING: I can read it again, if you
22 would like.

23 SENATOR GUTIERREZ: No, I don't need you to
24 read it. It doesn't say this, does it?

25 SENATOR KING: Well, what it says is,

1 specifically:

2 "Legislation that provides a revised
3 congressional redistricting plan in light of
4 constitutional concerns raised by the U.S. Department
5 of Justice."

6 SENATOR GUTIERREZ: What communications have
7 you had with the Department of Justice?

8 SENATOR KING: None.

9 SENATOR GUTIERREZ: What communications have
10 you had with the Trump administration?

11 SENATOR KING: None.

12 SENATOR GUTIERREZ: Do you know that, after
13 the 2021 redistricting, lawsuits were filed against
14 the State of Texas for that redistricting? And you're
15 aware of that, correct?

16 SENATOR KING: Yes.

17 SENATOR GUTIERREZ: And you're aware that we
18 were defended by -- whom would be defended by, as a
19 state? The Attorney General, correct?

20 SENATOR KING: Yes. I believe the Attorney
21 General was the lead defense team in that lawsuit.

22 SENATOR GUTIERREZ: Who is --

23 SENATOR KING: I don't remember if there
24 were intervenors.

25 SENATOR GUTIERREZ: Who is the Attorney

1 General?

2 SENATOR KING: The current Attorney General
3 is Ken Paxton.

4 SENATOR GUTIERREZ: And Ken Paxton, in his
5 response to those federal lawsuits, says there is no
6 racial gerrymandering in the drawing of these
7 congressional districts. Are you aware that that is
8 what the Attorney General said?

9 SENATOR KING: I'm aware of what the
10 defendant's pleadings had presented, that there was no
11 -- that the maps were, in all things, legal.

12 SENATOR GUTIERREZ: I'm not so sure if I --
13 the "defendant's pleadings." Well, the defendant --

14 SENATOR KING: I'm sorry.

15 SENATOR GUTIERREZ: -- being the --

16 SENATOR KING: I didn't answer that --

17 SENATOR GUTIERREZ: -- Attorney General.

18 SENATOR KING: -- very well. Let me try
19 again.

20 SENATOR GUTIERREZ: Yeah.

21 SENATOR KING: I haven't read all the
22 plaintiff's pleadings; I haven't read all the
23 defendant's pleadings. I am generally aware of the
24 defense. I know that the maps that I voted on I
25 believe to be completely legal. I believe that has

1 been the position of the Attorney General's Office, as
2 they have defended the case --

3 SENATOR GUTIERREZ: Yeah.

4 SENATOR KING: -- that the maps drawn by
5 Senator Huffman and voted on by the body were
6 completely legal at the time of the vote.

7 SENATOR GUTIERREZ: Four years ago, three
8 and a half years ago.

9 So the pleadings were signed by Ken Paxton,
10 were they not?

11 SENATOR KING: I presume they were. I don't
12 know. They may have been signed by one of his
13 Assistant AGs.

14 SENATOR GUTIERREZ: They were.

15 And I will not impugn Senator Huffman's
16 character because she stood up here, over and over,
17 and said there was no racial determination and race
18 was not a factor in determining these congressional
19 districts. You've said the same thing, so I believe
20 you. I believe her.

21 And we're now supposed to believe a
22 Department of Justice that won't even release the Jeff
23 Epstein files. I see you're smiling; I'm serious.

24 SENATOR KING: Well, I don't know anything
25 about the Epstein files. All I know is I've read the

1 DOJ letter. I read the response filed by the Office
2 of the Attorney General. And I also read the court
3 order that came out saying they're not going to reopen
4 at this time. And beyond that, I have no personal
5 knowledge of any facts behind that DOJ letter.

6 SENATOR GUTIERREZ: Okay. So you believed
7 that you voted in 2021, when you were a house member,
8 on legitimate congressional maps that did not consider
9 race as any kind of underlying factor. Senator
10 Huffman testified to the same thing. As I much as I
11 tried to get her to argue in a different direction or
12 to respond in a different direction, as much as I'm
13 sure colleagues of mine in the House, former
14 colleagues of mine and yours probably tried to get you
15 to go there, those were the maps that were voted on.
16 They were legitimate and legal maps. And suddenly,
17 we're here because the DOJ has asked us to be here,
18 alleging that there was some kind of reverse
19 gerrymandering.

20 SENATOR KING: Well, as I stated earlier, in
21 2021, we considered House, Senate, congressional, and
22 then also -- when, in 2023, we did not do the
23 congressional.

24 SENATOR GUTIERREZ: We did it in '21.

25 SENATOR KING: We did it in 2020 -- we

1 did --

2 SENATOR GUTIERREZ: Congressional --

3 SENATOR KING: -- the congressional --

4 SENATOR GUTIERREZ: -- in 21.

5 SENATOR KING: -- in 2021, but not in 2023.

6 SENATOR GUTIERREZ: That's right.

7 And in 2021, you voted in favor of those
8 congressional maps --

9 SENATOR KING: Yes.

10 SENATOR GUTIERREZ: -- because you said,
11 just now, you just told us that you felt that those
12 maps were fair and just, within the Voting Rights Act,
13 they were race-neutral, and there was no indication of
14 race bias one way or another; that's why you voted for
15 those maps.

16 SENATOR KING: I would not have voted for --
17 I would not have intentionally voted for a map if I
18 did not think it was a legal map.

19 SENATOR GUTIERREZ: You thought it was a
20 legal map, not an illegal map, a legal map. I'm
21 getting a little hard of hearing.

22 SENATOR KING: Yes. Yes. I would not have
23 voted -- I have never voted, to my -- for any map,
24 that I did not believe was a legal map in my
25 27 years --

1 SENATOR GUTIERREZ: Right.

2 SENATOR KING: -- three regular
3 redistricting cycles, and now five special sessions on
4 redistricting.

5 SENATOR GUTIERREZ: Right. So you it was a
6 legal -- l-e-g-a-l -- map. She forwarded a legal map
7 to us. And you -- and those are the maps that passed
8 that house and this senate. And now we have a rogue
9 DOJ sending us some BS letter that, all of a sudden,
10 they are not.

11 Do you fashion yourself -- I've always known
12 you. I've known you now for almost 20 years, believe
13 it or not. It's amazing how time flies. You still
14 look good; me, not so much; 20 years has passed. And
15 I've always known you for being a states' rights kind
16 of guy. Is that a fair statement?

17 SENATOR KING: I believe in the
18 constitutional doctrine of federalism.

19 But again, what we're here today for is to
20 talk about is this resolution that's before us.

21 SENATOR GUTIERREZ: Yeah. I'll get to that
22 in just a second.

23 Do you think this is a federal overreach?

24 SENATOR KING: I don't have an opinion on
25 that.

1 SENATOR GUTIERREZ: You don't have an
2 opinion on that.

3 Let's talk about the rules. Us being here
4 costs the State of Texas Taxpayers money, right?

5 SENATOR KING: Yes, being here for all of
6 the items on the special session, there's always a
7 cost when we're here.

8 SENATOR GUTIERREZ: No doubt. And for me,
9 the thing that I want to do here most -- I'm not on
10 that committee -- is the flood relief, the disaster
11 preparedness, the things that impacted Senator Flores'
12 district so much and so many of our constituents from
13 all over this state that were there and lost their
14 lives and lost children. That's why I'm here.

15 But now we're talking about this. And
16 because we're talking about the rules, I think Senator
17 Blanco did this incredible job. And then you followed
18 up with something, and I know someone is going to put
19 an amendment on this. You said that you want to make
20 this as equally, as transparent as the work that was
21 done by Senator Huffman. That's exactly what you said
22 just now, right?

23 SENATOR KING: Yes. I thought she did a
24 great job.

25 SENATOR GUTIERREZ: I thought so, too. I

1 may not -- have disagreed with the outcome, but I
2 thought so, too. Twelve regional hearings, twelve
3 regional hearings, as was just illustrated to us by
4 Senator Blanco.

5 In order for us to have an equal and
6 transparent type of process, as we did back in 2021,
7 it seems to me like we should have 12 regional
8 hearings in this state. What do you say?

9 SENATOR KING: Again, I think that the
10 virtual hearings are much more open to the public than
11 anything we have ever done in in-person hearings.

12 SENATOR GUTIERREZ: Right --

13 SENATOR KING: But we'll play it by ear and
14 we'll move forward and we'll continue to have hearings
15 as long as it seems to be productive --

16 SENATOR GUTIERREZ: Yeah. You said --

17 SENATOR KING: -- for the objective of the
18 committee.

19 SENATOR GUTIERREZ: Yeah, you said that
20 earlier. You said that I've often thought that people
21 would complain, you know, they can't get parking, they
22 can't get parking at the universities. I don't think
23 Senator Huffman had that problem. I don't think
24 there was a -- I never heard there would be -- that
25 there was a parking problem.

1 And as far as us having these virtual
2 hearings because you think that that's just more
3 transparent, Senator, well, then why the hell are we
4 here? Let me just do this at home in my underwear.
5 That would be better for me.

6 SENATOR KING: It wouldn't be better for us.

7 (Laughter)

8 SENATOR GUTIERREZ: Well, that's fair. I
9 promise to keep my hands above the desk.

10 (Laughter)

11 SENATOR GUTIERREZ: But let's be very clear.
12 We're here because transparency calls for us to be
13 here in person and to hear from witnesses and to hear
14 testimony in person and be able to cross-examine them,
15 one way or another. And you'd rather have people sit
16 in a queue and get kicked off that queue digitally, as
17 often happens, as often happens because -- let me tell
18 you something, Senator.

19 I represent more counties than you do, 14.
20 And a vast majority are all off in West Texas, along
21 with Senator Blanco, where the internet is not so
22 great. We have a lot of work to do, yet, still, in
23 this building. And sometimes, you're sitting there on
24 a Zoom and you're waiting and you're waiting and
25 you're waiting. And all of a sudden, the internet

1 goes off, and then you can't get back on the damn
2 Zoom. And yet, you think that's more transparent.
3 You think that giving somebody hours to lay it all on
4 the line is just more transparent, so they don't have
5 to pay for parking, I guess. Is that your testimony?

6 SENATOR KING: Well, I think you have to
7 weight that against how difficult it is for someone to
8 drive from far West Texas or far East Texas, take a
9 day or two off work, find childcare for their kids,
10 and to participate in an in-person.

11 And even if we go to regional, there's 254
12 counties in the State of Texas. The majority of the
13 people in the majority of counties are still going to
14 have to travel a substantial district -- distance to
15 be able to go to those in-person hearings.

16 SENATOR GUTIERREZ: Yeah.

17 SENATOR KING: Again, we also will be -- all
18 of the hearings on any bill, when we get to that
19 substantive point, all of the hearings on any bill
20 will, not only be online, but they will be in person
21 here at the capital, as all bills, in the normal
22 course of business of the Senate, as all bills are
23 considered.

24 SENATOR GUTIERREZ: You know, Senator -- and
25 I'm about to wrap up here -- and far be it from me to

1 agree with anything that the Attorney General has ever
2 had to say. But he said that there was no racial
3 determination in determining those districts in 2021,
4 and he said that in a lawsuit. Senator Huffman said
5 it and you said it. And so why the hell are we here?
6 Because you have yet to answer that very basic
7 question, other than the fact that the Department of
8 Justice that won't even show us the Jeff Epstein files
9 has asked us to be here.

10 So thank you very much and thank you,
11 Mr. President.

12 LIEUTENANT GOVERNOR PATRICK: Thank you,
13 Senator.

14 Senator Johnson, what purpose?

15 SENATOR JOHNSON: Thank you, Mr. President.
16 For questions of the bill author.

17 LIEUTENANT GOVERNOR PATRICK: Do you yield?

18 SENATOR KING: Certainly.

19 SENATOR JOHNSON: Thank you, Senator King, I
20 know you've been up for a while.

21 Let's talk about you have moved to take up
22 and consider the bill, and so I think it's a very
23 appropriate discussion to have. This is actually the
24 right time to take up and consider this mechanism to
25 carry out a redistricting. And you've mentioned that

1 these are pretty much the same rules, I think, that,
2 you know, almost -- are they identical to the rules
3 that we passed 31 to nothing last time?

4 SENATOR KING: They're identical to 2021 and
5 2023, with the exception that they don't include the
6 SBOE or Texas House or Texas Senate.

7 SENATOR JOHNSON: And so is there also
8 another exception, that exception being that there's
9 no constitutional obligation for us to draw any maps
10 right now?

11 SENATOR KING: I think that's a matter of
12 question of law that would be a perfectly appropriate
13 question for one of the hearings that we'll be having.

14 SENATOR JOHNSON: I -- thank you. A
15 question of law, that reminds me of the next question.

16 Has anyone filed suit challenging the
17 constitutional validity of the districts that were
18 questioned in the DOJ letter?

19 SENATOR KING: Well, the only lawsuit I'm
20 aware of is the one that's been going on in El Paso
21 for the last four or five years.

22 SENATOR JOHNSON: Four or five years for
23 that one. And yet, these districts that were raised
24 in the DOJ letter are not the subject, so far as you
25 and I know, of any pending litigation, right?

1 SENATOR KING: Again, I'm not familiar with
2 all the details of the litigation, but I believe they
3 were challenging the maps as a whole simply because it
4 -- there's always a domino effect; if you move one
5 thing, it affects others.

6 I think the -- I think the entire maps are
7 before the Court. But again, I'm not -- that would be
8 a better question for the Attorney General's Office.

9 SENATOR JOHNSON: Are you aware of anyone
10 having filed suit claiming that the districts
11 described in the DOJ letter were unconstitutionally
12 constructed along racial lines? Just your knowledge.

13 SENATOR KING: I'm not aware of any new
14 lawsuits. And I haven't read all the pleadings of all
15 of the plaintiff parties in the existing lawsuits.

16 SENATOR JOHNSON: Despite the fact you
17 haven't read all the pages -- and I'll confess that I
18 haven't, either -- you don't think that those lawsuits
19 challenge these districts, do you?

20 SENATOR KING: I don't want to make any
21 conjecture. I'm sorry.

22 SENATOR JOHNSON: Okay. Wouldn't it be
23 appropriate for us to wait until a lawsuit is filed
24 and let the courts figure this out the way they do in
25 other cases?

1 SENATOR KING: I don't have an opinion on
2 that. I'm here because the Governor has placed the
3 issue on the call and I want to perform our duties as
4 senators, as the body of the senate, to move forward
5 on that, and that requires this resolution.

6 SENATOR JOHNSON: If you believe that the
7 Governor called upon the legislature to enact
8 something that you thought was patently
9 unconstitutional, do you believe it would be our
10 obligation to do so?

11 SENATOR KING: Again, I don't want to get
12 into hypotheticals or conjecture. I believe the
13 Governor has complete authority in his office to put
14 this on the call.

15 SENATOR JOHNSON: I agree with you. And
16 let's make it not hypothetical.

17 The United States Supreme Court remarked in
18 Bartlett versus somebody -- it wasn't really
19 "somebody," it was somebody's name. Bartlett versus
20 something, the United States Supreme Court said,
21 although he was talking about crossover districts,
22 which is different than a coalition district, a
23 crossover district being where one class of votes that
24 doesn't typically vote with a minority group of voters
25 actually votes the same way they do, and so a district

1 is constructed that way.

2 And the Court found that -- if I'm recalling
3 this stuff correctly, I'm not an expert in this, it's
4 crash course. I think the Court found that you can't
5 construct a district that way. But it raises, quote,
6 "serious constitutional questions," Fourteenth
7 Amendment questions, if you were to deliberately go in
8 and destroy a district because of that
9 coalition/crossover effect. Are you aware of that?

10 SENATOR KING: I'm aware of the case
11 Bartlett, I've studied it.

12 SENATOR JOHNSON: Do you understand it to
13 leave looming over this legislature the hanging
14 question of whether or not the action that's proposed
15 by the Governor's call is unconstitutional?

16 SENATOR KING: You know, again, those are
17 things you're certainly welcome to bring up in
18 committee or on the floor. But again, all we're doing
19 here today is bringing up the resolution. We don't
20 have a bill before us. We don't have anything before
21 us but the resolution.

22 SENATOR JOHNSON: And that's precisely my
23 point. We're -- the motion right now is to take up
24 and consider something that probably, in my view, and
25 possibly in other people's view, causes us to take an

1 unconstitutional action that is ordinarily pursued
2 through the courts, not the Legislature. So shouldn't
3 we set this aside and wait for the proper moment --

4 SENATOR KING: I'm not --

5 SENATOR JOHNSON: -- and proper mechanism?

6 SENATOR KING: I'm not aware of any
7 prohibition against us taking up congressional
8 redistricting in the special session.

9 SENATOR JOHNSON: Did we take an oath of
10 office to uphold the Constitution or do what the
11 Governor tells us?

12 SENATOR KING: I think you know the answer
13 to that -- we all took the same oath of office.

14 SENATOR JOHNSON: Because I have another --
15 I have an alternative for us. Instead of taking up
16 this resolution, which the Governor called upon us to
17 do, which causes us to venture into questionable, at
18 best, unconstitutional territory, five years into a
19 decennial, which we've never actually done -- and I
20 agree with you, it's not prohibited, and probably
21 should be, which brings up an opportunity.

22 If there were an opportunity to, instead of
23 doing the Governor's bidding on this instance, to
24 instead sign a resolution banning mid-decennial
25 redistricting, would that be a better option to take

1 up and consider today? Because it's been filed. It's
2 my, it's Senate Joint Resolution 1. Any interest?

3 SENATOR KING: Again, I don't want to
4 respond to any hypotheticals. We have --

5 SENATOR JOHNSON: Oh, it's real.

6 SENATOR KING: A -- we have --

7 SENATOR JOHNSON: It's not --

8 SENATOR KING: A --

9 SENATOR JOHNSON: -- hypothetical.

10 SENATOR KING: We have a resolution before
11 us. If you have an amendment to it, I know the body
12 will entertain that amendment.

13 SENATOR JOHNSON: Thanks, Senator King.

14 LIEUTENANT GOVERNOR PATRICK: Senator Miles,
15 what purpose?

16 SENATOR MILES: Questions to the Chairman
17 and the author.

18 LIEUTENANT GOVERNOR PATRICK: Do you yield?
19 Senator King, do you yield?

20 SENATOR KING: Yes, sir.

21 SENATOR MILES: Senator King, Chairman King,
22 I'm not a lawyer, so, you know, I'm not going to have
23 any legal questions for you. I'm just a guy that's
24 honored to have -- represent his community from which
25 he was born and raised. And I just want to kind recap

1 and break down. Like I always tell me colleagues,
2 let's make it plain for the people back home in my
3 district and some of you all's district, and just kind
4 of recap what has been said today and understand where
5 we're going. Is that okay?

6 SENATOR KING: Certainly.

7 SENATOR MILES: I want to make sure I first
8 start off by saying everybody who stood up here today
9 has said how much we respect you, sir, as a colleague
10 and as a man, so I want to echo that, too, as well.
11 Everyone has stood up and said how much we respect you
12 as a colleague and a man and a Christian, so I want to
13 echo that, as well.

14 SENATOR KING: Thank you.

15 SENATOR MILES: But I do want to make this
16 plain and break it down for some of the people in the
17 audience and definitely for my people and some of you
18 all's constituents back home. You know, we -- in
19 church, we say make it plain, make it plain, Pastor,
20 make it plain. So I just want to make sure we're
21 doing that.

22 So, in 2021, which has come up multiple
23 times, that was a scheduled, every-ten-year
24 redistricting. Is that correct?

25 SENATOR KING: Yes. Traditionally, you do

1 redistricting following -- in the year following the
2 decennial census.

3 SENATOR MILES: The decennial census.

4 And we do those because, every ten years, we
5 may take -- we take a -- after the census, we have a
6 change in the population and shifting numbers,
7 shifting locations, and that's pretty much the reason
8 we do those every ten years, after the --

9 SENATOR KING: Well --

10 SENATOR MILES: -- census, right?

11 SENATOR KING: -- you're required to do them
12 then. But as it --

13 SENATOR MILES: Required by who? By?

14 SENATOR KING: Well, by the Texas and U.S.
15 Constitutions.

16 SENATOR MILES: Constitution. There we go.

17 SENATOR KING: The -- but in 2023, we were
18 also required to because of the time frame in which
19 the census data was actually produced.

20 SENATOR MILES: Because --

21 SENATOR KING: And that's why it required us
22 to take up redistricting in 2023.

23 SENATOR MILES: Yeah, the census --

24 SENATOR KING: However --

25 SENATOR MILES: The census --

1 SENATOR KING: However --

2 SENATOR MILES: -- information was --

3 SENATOR KING: -- it is not --

4 SENATOR MILES: -- was late, right?

5 SENATOR KING: I'm sorry?

6 SENATOR MILES: The census information was
7 late getting to us.

8 SENATOR KING: Yes, we had --

9 SENATOR MILES: That's why we --

10 SENATOR KING: We had --

11 SENATOR MILES: Okay.

12 SENATOR KING: We had to take it up again
13 because of the late date that the census data was
14 given to Texas.

15 SENATOR MILES: Right, right.

16 SENATOR KING: And we weren't able to pass
17 redistricting during the regular session.

18 However, it is -- we have, in the past, the
19 Texas Legislature, done redistricting in non-decennial
20 years beyond 2023.

21 SENATOR MILES: And thank you for helping me
22 make that plain and clear to the people back home.

23 And we voted on that, on those -- that map
24 as a body, correct?

25 SENATOR KING: Yes. Every map is like a

1 bill and they have to pass by a majority of the votes
2 of the body.

3 SENATOR MILES: And it all -- and it went --
4 and it passed as a body, correct? And it passed the
5 House. Is that correct?

6 SENATOR KING: It did. I don't remember the
7 vote count, but I recall it was not unanimous.

8 SENATOR MILES: And in '23 --

9 SENATOR KING: I believe --

10 SENATOR MILES: Can I --

11 SENATOR KING: -- it was on partisan lines.

12 SENATOR MILES: And in '23, who was the
13 majority party and who was the minority party here, in
14 '23?

15 SENATOR KING: Well, I mean, 2023, in the
16 Senate, the Republicans were the majority party.

17 SENATOR MILES: And how about in 2021?

18 SENATOR KING: It was the same.

19 SENATOR MILES: And now, we all know that
20 the majority party is Republicans, correct?

21 SENATOR KING: Yes.

22 SENATOR MILES: Okay. I just want to -- I'm
23 just trying to make it plain for the people back home,
24 that's all.

25 And in 2023, we had a large population

1 growth. Is that correct?

2 SENATOR KING: I haven't seen the census
3 data for 2023.

4 SENATOR MILES: Well, if I recall
5 correctly --

6 SENATOR KING: But common sense says Texas
7 has continued to grow.

8 SENATOR MILES: Has continued to grow.

9 And as I think one of my other colleagues
10 stated, and I'm just trying to recap, one of the other
11 colleagues stated that it was a growth in -- the
12 majority of it was in minority population. Is that
13 correct?

14 SENATOR KING: I'm sure that some of the
15 things will come up in the information-gathering
16 hearings.

17 SENATOR MILES: Were you aware, sir,
18 Senator, that Texas is one of the largest populations
19 of African Americans now, in the State of Texas,
20 bigger than Atlanta, bigger than Chicago, bigger than
21 Los Angeles; that we had more African Americans moving
22 here than anywhere else?

23 SENATOR KING: I know we have a large
24 population, larger than many other states.

25 SENATOR MILES: And the majority of it is

1 African -- the largest population for the country is
2 right here, growing --

3 SENATOR KING: No, the --

4 SENATOR MILES: -- moving to Texas.

5 SENATOR KING: I don't know the specific
6 racial data, and I do not intend to look at that
7 during this process.

8 SENATOR MILES: I'm telling you what I know,
9 just from the fact, but --

10 And you said multiple times, I've heard you
11 say -- which I'm glad to hear you say -- that you
12 wanted everybody to have an opportunity to have their
13 voices heard, correct?

14 SENATOR KING: Yes.

15 SENATOR MILES: On this redistricting.

16 And I thought -- I think it was brought out
17 that, in '22 -- in '21 and '23, there were 14, 14
18 hearings. Is that roughly what I think I heard?

19 SENATOR KING: I think that's correct.

20 SENATOR MILES: And right now, we've got
21 four, and they're going to be regional, correct?

22 SENATOR KING: Well, four that we've planned
23 out so far. But again, we always do think
24 differently. The tradition of the Senate has always
25 been that we do things differently in a special

1 session just because of the shorter time frame. And
2 we have passed out -- we have passed out redistricting
3 maps in special sessions previously on multiple
4 occasions.

5 SENATOR MILES: And I'm sure, Mr. Chairman,
6 you would agree with me that this is a very, very big
7 issue that we're about to address, very important and
8 very important to the makeup of the State of Texas --

9 SENATOR KING: Yes.

10 SENATOR MILES: -- funding coming in from
11 the Federal Government. It's a very big issue to our
12 population. Is that correct?

13 SENATOR KING: I hope it's important to
14 everyone.

15 SENATOR MILES: Sir?

16 SENATOR KING: I said I hope it is important
17 to everyone.

18 SENATOR MILES: Yes. I'm -- that's what my
19 question was. Would you agree that this is a very
20 important issue to everyone, everyone involved in the
21 State of Texas?

22 So the last wrap-up question. It's been
23 asked multiple times. And as my colleague emotionally
24 just said, we still don't know -- you still have no
25 idea to why we're doing this, with the exception of

1 this letter coming from the DOJ. Is that correct?

2 SENATOR KING: Well, I know the reason --
3 well, the reason we are here today is because the
4 Governor put redistricting, congressional
5 redistricting on the call.

6 SENATOR MILES: On the call. And that's why
7 we're here, correct? Because we got it on the call
8 that -- and it came from this letter, resulted from
9 this letter from the DOJ.

10 SENATOR KING: That's the purpose -- that's
11 the reason we are laying out this resolution today.

12 SENATOR MILES: Okay. I think we're saying
13 the same thing.

14 SENATOR KING: I'm sorry?

15 SENATOR MILES: I think we're saying the
16 same thing, Senator.

17 SENATOR KING: I don't think so.

18 SENATOR MILES: As a result of this letter
19 from the DOJ.

20 SENATOR KING: Well, I can't -- I don't -- I
21 can't speak for the Governor and I haven't talked to
22 the Governor.

23 SENATOR MILES: Okay.

24 SENATOR KING: What I do know is we have a
25 duty to take up all the issues on the call, to

1 consider all those issues. And to do that, if we're
2 going to stick with the tradition of the Senate, then
3 we would need to pass a resolution like this as step
4 one.

5 SENATOR MILES: Okay. And this is step one.

6 Senator, let me ask you a question. Did you
7 -- do you have any idea -- did you -- were you aware
8 that, on this letter from the DOJ, that there are four
9 congressional districts listed?

10 SENATOR KING: I have read the letter.

11 SENATOR MILES: Did you -- were you aware
12 that one of those districts is wholly in my district,
13 Senate District 13; the second one is partly, majority
14 in my district; and the third has a slight -- had a
15 slight part of that one, in Senate District 13? Were
16 you --

17 SENATOR KING: I think you --

18 SENATOR MILES: -- aware of that?

19 SENATOR KING: I think you mentioned all
20 that when we talked on the phone Saturday.

21 SENATOR MILES: Yeah. Just I wanted to know
22 if the body knew. I'm trying to make sure it's not --
23 they understand, as well.

24 So let's repeat that. Four -- the four
25 districts as mentioned here in this DOJ letter, three

1 of them are partly or wholly in my district, Senate
2 District 13. Do you think it's coincidental that
3 Senate District 13, for which three of these districts
4 are in, congressional districts are in, and that I sit
5 in, do you think it's coincidental that it is the only
6 majority African American district in the whole State
7 of Texas?

8 SENATOR KING: Again, I don't have any
9 personal knowledge of any of the facts behind the DOJ
10 letter. All I can tell you is that I have read it and
11 that I then read the response by the Attorney
12 General's Office to that letter, and that's really all
13 I know.

14 SENATOR MILES: And I know and all of my
15 colleagues know that you're a thinking man, you're a
16 very intelligent thinking man. And my simple -- my
17 question is simple. Do you just think it's a
18 coincidence that three of these districts that are
19 mentioned on this DOJ letter are in my district, the
20 only African American majority district in the State
21 of Texas?

22 SENATOR KING: Again, and I speak in all
23 honesty, I just have -- I have zero knowledge of any
24 data, any facts, anything that the DOJ relied upon to
25 draft their letter to the Governor and to the Attorney

1 General.

2 SENATOR MILES: Well, if I could --

3 SENATOR KING: All I know --

4 SENATOR MILES: -- let me tell you.

5 SENATOR KING: -- is it's --

6 SENATOR MILES: I don't think it's -- I
7 don't think it's coincidence. Okay? And I just want
8 to put that on you and my colleagues' minds that I
9 don't think it's a coincidence, and my colleagues, my
10 former Democratic colleagues don't think it's a
11 coincidence, and I can assure you my people back home
12 don't think it's a coincidence.

13 So let me move on. So I heard you saying
14 we're going to have hearings as long as they're
15 productive. You just said that about two questions
16 ago, we're going to have hearings as long as they're
17 productive.

18 SENATOR KING: Well, within reasonable
19 confines of the special session. It will have a lot
20 to do with what the Members of the committee wish. I
21 want that to be a participatory process.

22 I can tell you today that we will have at
23 least four, and then we'll see how things are -- you
24 know, if, on the last two, if we're overwhelmed with
25 more people, it may be -- it may be prudent to keep

1 going. I just don't know until we get started.

2 SENATOR MILES: Well, I wanted -- my follow-
3 up question to that is: How do you define
4 "productive"?

5 SENATOR KING: Well, I think that's going to
6 be common sense, just like we -- any hearing that
7 you've been in, in the Senate, at that hearing, you're
8 able to look and say, hey, this was a productive
9 hearing, we learned things, we heard from people,
10 there were substantive comments that helped guide the
11 senate committee in its deliberations and
12 considerations.

13 And I think it would be the same for these
14 hearings, and I hope you'll participate in them. I
15 hope that -- I know it's a tough schedule for
16 everybody, all the committee Members, but that is one
17 reason I called you.

18 I just wanted to make sure that if we set
19 these dates that everybody could be a part of them
20 that's on the committee and, of course, it's open to
21 any member of the Senate to come and sit at the dais
22 and be a part of that hearing, and also to help us get
23 the word out to everybody that might be interested in
24 testifying or listening in.

25 SENATOR MILES: Okay. Based on your

1 definition of productive, what happens if they're not
2 productive? Have you thought that far? What happens
3 if they're not productive?

4 SENATOR KING: I just have a, having been in
5 those kind of hearings many times before, as most
6 people in here have, I just believe they are going to
7 be productive. And I would be very, very surprised if
8 they were not.

9 SENATOR MILES: Well, if you want
10 production, and you want everybody to be able to
11 participate, we're only having four of them in
12 different regions.

13 But three of these districts are right here
14 in Houston, Harris County -- in Houston, Harris
15 County. That doesn't make pretty much productive
16 sense.

17 If we're going to have four hearings,
18 they're going to be regional, but three of these
19 districts are in Harris County in my district, but
20 we're only going to have one? I don't think that's
21 getting us off to a very productive start.

22 SENATOR KING: Now, so just -- and again, I
23 know this is a little bit of a difference of opinion,
24 but I was trying to count up. I think I've attended
25 11 in-person field hearings on redistricting -- no, 12

1 -- no, 11, 11 hearings.

2 And at each of those, it was difficult for
3 people to get there. We heard later, I can't get
4 there. I can't get there that early. I have
5 childcare, all these things. My personal opinion is
6 that having the virtual hearings is much more
7 conducive to getting as many people engaged as we can
8 because we're able to do it day and evening.

9 They don't have to drive from Marfa or from
10 Weatherford or anywhere else to get here. They don't
11 have to arrange for childcare. They don't have to
12 spend the time and money. They don't have to get a
13 hotel. They don't have to do all those things.

14 When you have them in the field, yes, you'll
15 get a lot. If we have one in Fort Worth, we'll get a
16 good crowd of people from Tarrant County. But we're
17 not going to get people from other places. We're not
18 going to get them from other places. And if we do
19 these --

20 SENATOR MILES: I totally agree with you on
21 that statement.

22 SENATOR KING: -- if we do the Zoom process,
23 we're going to get people from all over the state, and
24 we can focus on those regions. So we focus on the
25 South Texas or East Texas or wherever.

1 SENATOR MILES: Mr. Chairman, you do know
2 that in rural areas and urban areas, the digital
3 divide is real, correct?

4 SENATOR KING: I'm sorry. I'm having a
5 little trouble hearing you.

6 SENATOR MILES: You do understand that in
7 rural parts of Texas and urban parts of Texas that the
8 digital divide is real, meaning that a lot of people
9 in urban Texas, in urban Texas and rural Texas don't
10 have access --

11 SENATOR KING: There are certainly parts of
12 Texas --

13 SENATOR MENENDEZ: -- to virtual capacity or
14 virtual capacity.

15 SENATOR KING: There are certainly parts of
16 Texas where you have to get on -- where you're either
17 going to have line-of-sight wireless, or you're going
18 to have gaps in service, or you're going to have to
19 get on Elon Musk's satellite service. But --

20 SENATOR MILES: I agree with you. And
21 there's parts of Texas, urban and rural, where they
22 just don't have the technology present to them,
23 available to them. But yet, we want everybody to be
24 heard --

25 SENATOR KING: I'm --

1 SENATOR MILES: -- on this very important,
2 important matter.

3 SENATOR KING: I'm sure there are still
4 areas in Texas where there is no internet service, but
5 those folks also would have to drive from deep East
6 Texas to wherever the regional hearing was held.

7 And so the point being, I think when you
8 look at the totality of the circumstances, I think the
9 virtual hearings provide a much easier path for more
10 people to be a part of the hearing.

11 SENATOR MILES: Well, I think I'm concerned
12 about people in rural Texas and especially people in
13 urban parts of Texas, such as my Senate District, that
14 they won't have access to the technology.

15 And knowing that, knowing because I'm in my
16 district that the digital divide is real and some
17 people just don't have access. And those are the
18 people who need -- who are going to be impacted by
19 this redistricting the most. That's what concerns me.

20 And we're sitting here saying we want
21 everybody to be a part, everybody to be transparent.
22 We're going to give them 48 hours, which I have an
23 amendment coming up shortly asking you for additional
24 time because a lot of people can't just -- working
25 class people in all of our districts can't just get

1 off work when they want to, to go to a hearing.

2 And I'm not going to even bring back up the
3 fact that you want four -- you've got four regional
4 hearings, but three of these districts that are in
5 question are in my district. So I've got a bunch of
6 people that need to -- we probably won't be able to
7 find a place, capacity to take up all those people
8 that are in my district that are going to be affected
9 by this.

10 That's all I'm saying, Senator. I've got
11 some concerns. And I'm wondering why, as if I don't
12 know, I think we all here know why, if we're going to
13 do transparency, we should all speak on it since we're
14 talking about so much transparency, why at this time
15 we're having to do what I call not redistricting but
16 rig districting. Thank you, Mr. Chairman.

17 LIEUTENANT GOVERNOR PATRICK: Senator West,
18 what purpose?

19 SENATOR WEST: Three questions of my friend.

20 LIEUTENANT GOVERNOR PATRICK: Do you yield?

21 SENATOR KING: Certainly.

22 SENATOR WEST: Thank you very much,
23 Mr. President. And I'm not going to try to be
24 redundant in terms of some of the questions, but I
25 want to talk about process for a second.

1 And yes, I've had the opportunity to serve
2 on numerous redistricting committees and have had the
3 benefit of going to regional meetings and also virtual
4 meetings. I want to start right there first of all.

5 As it relates to this, these meetings, I
6 would suggest that you consider having, if you have a
7 regional meeting, also have a virtual component to it.
8 So therefore, being in a location where you don't have
9 issues, logistical issues -- parking, things of that
10 nature -- and also being able to pull in persons from
11 out that region virtually that cannot make it to that
12 location.

13 And by doing that, I think you maximize
14 participation as it relates to -- well, what are your
15 thoughts about that, first of all?

16 SENATOR KING: And I mean, it's a good
17 thought. But I also recall back in 2019 when we were
18 doing some regional hearings, we would try to set that
19 up. But when you go to that conference center or that
20 hotel or wherever you were holding them at, we had
21 trouble getting continual service.

22 We just ran into problems with being able to
23 get it worked out in a remote location. Because when
24 you walk in to a remote location, you're bringing your
25 own equipment, but you're still tying into their

1 internet.

2 And I recall that we had problems with that.
3 So I guess my point is a very good thought, but at the
4 same time, it is not a complete answer because you --
5 when we do things at the Capitol, we know they're
6 getting out. We know without any doubt. It's a
7 tested process. We've used it twice before, and we
8 know it works.

9 SENATOR WEST: But let me --

10 SENATOR KING: If I go to Arlington, I --
11 past experience showed it didn't always work.

12 SENATOR WEST: Let me recommend to you then
13 this. That was back in 2016?

14 SENATOR KING: That was 2019 --

15 SENATOR WEST: That's been six years ago.

16 SENATOR KING: -- the last regional one.

17 SENATOR WEST: Technology has, in fact,
18 advanced since that time.

19 SENATOR KING: No question.

20 SENATOR WEST: And -- okay. And so
21 therefore, I suggest to you that if we went to our
22 universities that have probably state-of-art systems,
23 that we would not have some of the problems that you
24 encountered back in 2019 if indeed that's something
25 that you want to do.

1 SENATOR KING: I'll certainly take that
2 under advisement.

3 SENATOR WEST: And secondly, you know, Trump
4 has said that he sees about five seats coming out of
5 Texas. That's what he said. Has that been
6 communicated to you by any member of the Trump
7 administration?

8 SENATOR KING: I've had no contact with any
9 member of the Trump administration.

10 SENATOR WEST: Has anyone from your staff
11 been communicating with the Trump administration or
12 the Department of Justice --

13 SENATOR KING: No.

14 SENATOR WEST: -- about this? Anyone you're
15 thinking about hiring, have they been in communication
16 with the Trump administration or the Department of
17 Justice about this issue? That was a good question,
18 wasn't it?

19 SENATOR KING: Yes, that's a good question.

20 SENATOR WEST: Yeah.

21 SENATOR KING: I'm trying to think through
22 it. The -- one of the law firms -- two of the law
23 firms that I interviewed by phone --

24 SENATOR WEST: Okay.

25 SENATOR KING: -- one and maybe both of them

1 had attended a meeting with maybe the Republican
2 delegation. I don't know if DOJ Members or White
3 House Members or anybody else could have been there or
4 not. I don't know.

5 But point being, we have interviewed several
6 law firms, and I don't know for sure, but I do know
7 one of them mentioned having attended a large meeting
8 that probably conflicted them out of things.

9 SENATOR WEST: Okay. And then the reality
10 is those meetings were about this particular
11 initiative by Trump.

12 SENATOR KING: Yes, they were about the
13 possibility of different states doing redistricting.

14 SENATOR WEST: One of them being the State
15 of Texas.

16 SENATOR KING: One of them being the State
17 of Texas.

18 SENATOR WEST: And during that meeting,
19 isn't it true -- hold on for a second -- that they
20 discussed about how many Republican seats they could
21 get out of the State of Texas?

22 SENATOR KING: I don't know what all they
23 talked about. I just know that they had attended
24 meetings. Because you asked if any counsel I had
25 interviewed had participated in meetings. I just want

1 to say they may have.

2 SENATOR WEST: Okay. Now, I'm going to ask
3 this question and, you know, I want to make certain
4 you're clear this is not directed towards you. But
5 I'm going to tell the Members of this body that this
6 particular initiative has the appearance of being
7 racist -- of being racist.

8 So how do you, as a chair of this special
9 redistricting committee, make certain that those
10 persons, normally mostly minorities, are assured that
11 this is going to be a fair process? How do you do
12 that when the perception, overall perception, of not
13 just African Americans, but Hispanics also, that this
14 is racist? How do you do that?

15 SENATOR KING: I can assure you that any
16 bill that's considered by the redistricting committee
17 prior to it being considered, prior to me looking at
18 it or anybody else, as has been the practice in prior
19 sessions, it will have been reviewed by a third party
20 to make sure that it is in compliance with the Voting
21 Rights Act.

22 And if I'm not told that it's in compliance
23 with the Voting Rights Act, then it would not be
24 something we would consider.

25 SENATOR WEST: Okay. But see, you say third

1 parties and the third parties are going to be persons
2 that will be --

3 SENATOR KING: Well, in the past, it's been
4 the -- last session, I believe it was someone either
5 in house or contracted with by the Attorney General's
6 Office.

7 SENATOR WEST: Let me say this again. The
8 third party is not going to be objective. They will
9 be very subjective in their determination as to
10 whether or not it's compliant with the Voting Rights
11 Act, sir. Would you not agree with that?

12 SENATOR KING: Well, their directive would
13 be to look at the proposed bill amendment map and to
14 determine if it meets, looking at Gingles and
15 everything else involved to determine if it complies
16 with the Voting Rights Act. And if it does, then we
17 will consider it. If they tell me that it does not,
18 then we will not.

19 SENATOR WEST: In terms of -- let me just --
20 let me circle back to regional hearings. I would
21 suggest, like in North Central Texas, that you use UNT
22 Dallas or UT Arlington that have the capabilities of
23 having enough parking for anyone and everyone who
24 wants to participate, as well as having the
25 technological ability to provide the internet

1 capability for people within the region to be able to
2 come in. I'd make that recommendation.

3 As it relates to your charge, do you see the
4 whole map in the State of Texas being opened for
5 reconsideration --

6 SENATOR KING: That's a good question. And
7 I think that's something --

8 SENATOR WEST: Very much, sir.

9 SENATOR KING: -- the committee needs to
10 discuss when we look into the scope of the governor's
11 call.

12 SENATOR WEST: I'm sorry. Say that again.

13 SENATOR KING: So I think that's an
14 interesting question, a valid question that you raise.
15 And I think that's something that the committee should
16 discuss when we look at the specific text of the
17 governor's call.

18 SENATOR WEST: And the reason I asked that
19 question is because a few minutes ago, you said that
20 as a result of the districts that are being targeted
21 that you've got -- it'll have a sort of a, I think you
22 said, rippling effect. I may misquote you on that.

23 SENATOR KING: Well, it's just if --

24 SENATOR WEST: But it will have a --

25 SENATOR KING: -- we all know from past

1 redistricting, anytime you adjust one district, it by
2 pure math affects the boundaries of at least one
3 neighboring district, if not more.

4 SENATOR WEST: Right. And that's the reason
5 I asked you that particular question. This is what is
6 out there in terms of people having conversations
7 about this, that what's going to happen is that in
8 Houston, the two minority districts are going to be
9 paired with one another.

10 And they may very well impact the district
11 that I think one in -- I think it's in Fort Bend
12 County; I may be wrong in that area -- there's been no
13 conversation about that majority Hispanic district.

14 And I think Sylvia Garcia is also being
15 impacted by this. And so, those -- there'll be two
16 African American districts paired with one another or
17 either African American and Hispanic district being
18 paired, and that there'll be some changes in South
19 Texas. Have you heard those rumors?

20 SENATOR KING: I have intentionally not
21 entered into any discussions about racial data.

22 SENATOR WEST: No, I know. I didn't say --
23 I said, have you heard the rumors?

24 SENATOR KING: What I've heard is all
25 encompassed within what the senators have said today

1 in their questions.

2 SENATOR WEST: So you have or have not heard
3 the rumors? That's what I'm asking.

4 SENATOR KING: I'm aware of the four
5 districts that are listed in the DOJ letter and where
6 those districts are.

7 SENATOR WEST: Now today is the 21st. Are
8 you aware that ten days ago, the attorney general of
9 the State of Texas sent a letter to the U.S.
10 Department of Justice concerning civil rights
11 division, concerning what's going on in redistricting
12 here in the State of Texas? Are you aware of that
13 letter?

14 SENATOR KING: No.

15 SENATOR WEST: Okay. Let me represent to
16 you that in that letter on the second page, second
17 paragraph, he states the following. "The evidence,"
18 -- he's talking about the trial that was going on in
19 El Paso; let me put it in context -- "The evidence at
20 that trial was clear, unequivocal. The Texas
21 legislature did not pass race-based electoral
22 districts for any of those political maps."

23 And the political maps he's talking about,
24 that "Texas Senator Joan Huffman, who chaired the
25 Senate Redistricting Committee, testified under oath

1 that she drew Texas districts blind to race and sought
2 to maximize Republican political advantage balanced
3 against traditional redistricting criteria."

4 That seems pretty clear and unequivocal,
5 does it not?

6 SENATOR KING: Yes, --

7 SENATOR WEST: Okay. So --

8 SENATOR KING: -- it says clearly what it
9 says.

10 SENATOR WEST: Okay. And so I got another
11 part I want to talk to you about also. If indeed, as
12 you're going into structuring this committee, guiding
13 the committee, discharging your responsibility to
14 consider redistricting, that doesn't necessarily mean
15 that you have to come out with a determination as to
16 whether or not to redistrict; is that correct?

17 SENATOR KING: Well, it's correct that if
18 the committee considers a bill, that that bill will
19 either be voted out of the committee or not voted out
20 of committee. If it is voted out of committee, it'll
21 come with a favorable recommendation for it to be
22 adopted or passed by the Senate.

23 SENATOR WEST: Okay. Now --

24 SENATOR KING: And then the Senate would
25 vote on it.

1 SENATOR WEST: I understand that. You're
2 the chairman of the committee, so you give great --
3 you give great weight in terms of what you do and how
4 you run a committee because that's what chairs do.

5 And so from vantage point -- and you also --
6 how many years have you been practicing law?

7 SENATOR KING: Oh, way too many.

8 SENATOR WEST: Way too many.

9 SENATOR KING: Yes, sir.

10 SENATOR WEST: Okay.

11 SENATOR KING: Decades.

12 SENATOR WEST: Today he's saying way too
13 many. All right. So you know what -- what do they
14 call it -- summary judgment is?

15 SENATOR KING: Yes.

16 SENATOR WEST: What do you have to have in
17 order to get summary judgment in a case?

18 SENATOR KING: Well, you don't want any
19 outstanding facts.

20 SENATOR WEST: Aha. Okay. Now if indeed
21 facts that the Senate has that our chair -- you know
22 where I'm going, don't you? -- our chair, the Members
23 of the Republican party here and the attorney general
24 of the State of Texas has basically said that there
25 was no race based, that the Texas legislature did not

1 pass race-based electoral districts. Those are the
2 facts, are they not?

3 SENATOR KING: Yes, I believe that --

4 SENATOR WEST: And let me go further.

5 SENATOR KING: Yes, I have.

6 SENATOR WEST: Okay.

7 SENATOR KING: I believe that the maps
8 passed under Senator Huffman's leadership were legal.

9 SENATOR WEST: Okay. And so if that's the
10 case, what are we doing here? Let me go further.
11 This is in the letter also. "The Texas legislature
12 has led the nation in rejecting race-based decisions
13 making its redistricting process. It's drawn its
14 current maps in conformity with traditional non-racial
15 redistricting criteria to ensure Texas continues to
16 adopt policies that would truly make America great
17 again."

18 If I wasn't on the floor of the Senate, I'd
19 say something derogatory towards that last statement.
20 America is great, but I have to make it great again.

21 But the reality is when you have the
22 attorney general sending a letter ten days ago stating
23 these facts, isn't that pretty convincing evidence
24 that this is a waste of time?

25 SENATOR KING: So I'm 100 percent confident,

1 based on past experience, that at the information-
2 gathering hearings and at the hearings on any
3 legislation, that there will be parties in testimony
4 who will probably refer back to the same thing you're
5 referring to, and those will be matters for the
6 committee to consider and discuss at that time.

7 But for right now, all we're here on is the
8 resolution that we need to put in place so that we can
9 begin to have those hearings. I'm not discounting the
10 questions you're asking. I'm not discounting the
11 assertions or anything else or that any other member
12 has asked.

13 I'm just saying that really today is not the
14 time to go over all that. The time today is just to
15 look at this resolution, and the question before us
16 is, do we want to do the same thing we did in 2021 and
17 2023? And if so, let's vote on it, move it out.

18 SENATOR WEST: Okay. And I think that I
19 want to get there myself. But I've got a few more
20 questions before we get there. You would agree with
21 me also that the attorney general of the State of
22 Texas, hereto before, when the federal government,
23 Department of Justice, contest what we've done here in
24 the State of Texas, that the attorney general normally
25 files suit against that Department of Justice, right?

1 You'd agree with that, would you not?

2 SENATOR KING: I know that the current
3 attorney general has filed a whole lot of lawsuits,
4 very good lawsuits in many cases.

5 SENATOR WEST: And many cases --

6 SENATOR KING: I don't know off the top of
7 my head how many have been against the Department of
8 Justice or the State of Alabama or whoever.

9 SENATOR WEST: Well, here's the deal.

10 SENATOR KING: I don't know.

11 SENATOR WEST: You know, you and I will go
12 back and forth against that one. But that's the
13 reality. Here we have a bill passed by the State of
14 Texas, signed by the governor, defended and being
15 defended in federal court by the attorney general, a
16 letter from the attorney general 11 days ago to the
17 Department of Justice, and now we find ourselves here
18 on a call to consider redistricting. That's where we
19 find ourselves.

20 My last question. There were complaints in
21 the past that we would invite Texans to be a part of
22 the process, testifying in person or virtually. Then
23 we would not, and then we would discount their
24 testimony. We really didn't consider it for any
25 purpose whatsoever other than checking a box.

1 Senator King, as chairman of this committee,
2 are you just going to check the box? Or are you going
3 to actually listen to people and have that testimony
4 help inform your guidance by the Members on the
5 committee and your vote?

6 SENATOR KING: I want and intend for myself,
7 and I'm confident that all the other Members of the
8 committee have the same intent, is that we have very
9 serious and very legitimate hearings, whether they be
10 virtual or in person here at the Capitol, wherever
11 they may be.

12 And we'll take into consideration all the
13 testimony that -- you've been in these. A lot of it's
14 legal briefs in effect, where we're being told what
15 they believe the law is. And there's differences of
16 opinion that will be from different witnesses. And
17 there'll be people coming in from different
18 communities, and then people, a lot of people just
19 testifying here from Austin.

20 But whatever they say, I know me personally
21 and I truly believe for all the other Members of the
22 committee that we'll all listen intently, we'll be
23 there to learn, and at the end of the day, we'll be
24 there to do what's right.

25 SENATOR WEST: In closing, like I said,

1 Members, and, you know, all of us have personal
2 relationships, what I'm hearing outside these halls
3 that this has the appearance of being racist, say that
4 we shouldn't be taking into consideration race, then
5 hopefully we'll get to a point where we don't take
6 into consideration race.

7 Because in this instance, the appearance is
8 that we are taking it into consideration. And I hope
9 that you will be true to your word, as I know you have
10 been with me in the past, and make certain people know
11 that this will be a fair process. Thank you for your
12 indulgence.

13 LIEUTENANT GOVERNOR PATRICK: Senator
14 Eckhardt, for what purpose?

15 SENATOR ECKHARDT: To ask questions of the
16 author.

17 LIEUTENANT GOVERNOR PATRICK: Senator King,
18 do you yield?

19 SENATOR KING: Certainly.

20 SENATOR KING: Thank you so much, Senator
21 King. I am honored to sit next to you. We've had
22 many, many good conversations. And I don't envy you
23 this assignment.

24 Of course, this is the very first thing that
25 we're taking up in this chamber, despite the fact that

1 135 people are dead from flooding in Central Texas,
2 ten in Travis County, three are still missing.

3 Senator King, what is the rush on mid-decade
4 redistricting? Why are we rushing to do this?

5 SENATOR KING: I haven't said there's a
6 rush. What I have said is that we're just responding
7 at this time, just responding to the governor's call
8 with this resolution.

9 SENATOR ECKHARDT: And yet, how much notice
10 have Texans had that we are going to do this unusual
11 mid-decade redistricting?

12 SENATOR KING: I think they'll have the same
13 type of notice that they get on any bills of critical
14 interest in our legislative process.

15 SENATOR ECKHARDT: How much notice do Texans
16 have that we will be redistricting in the first
17 session after the decennial census?

18 SENATOR KING: Well, I think it's like
19 anything else. There's interest groups that stay
20 heavily involved in this throughout, not just the
21 decennial census, but there's litigation and other
22 political matters, partisan matters going on
23 throughout each decade.

24 And I think that those groups do a really
25 good job of trying to inform their constituencies.

1 And we never seem short at hearings on having plenty
2 of people that want to testify.

3 SENATOR ECKHARDT: You yourself have stated
4 that we are under no obligation to do mid-decade
5 redistricting, although we are under an obligation to
6 do redistricting in the first session after a
7 decennial census, correct?

8 SENATOR KING: That's correct. Although
9 there are times when it can be compelled, such as if a
10 court orders it or something like that.

11 SENATOR ECKHARDT: But you have already
12 answered Senator Alvarado's questions. We are not
13 compelled by a court order in this circumstance,
14 correct?

15 SENATOR KING: No, we're not. In 2023, we
16 were under a constitutional requirement to do House
17 and Senate again because of the late date that the
18 census data was sent to Texas.

19 SENATOR ECKHARDT: And of course, we only
20 received the official copy of this resolution at 2:35
21 this afternoon, correct?

22 SENATOR KING: Yes, I did send Senator
23 Alvarado, as chair of the caucus, we sent a copy to
24 her staff Sunday, Saturday, and so that they would
25 have a couple days' notice. We didn't have it ready

1 to go until then. As soon as it was ready to go, we
2 got it over to the caucus chair.

3 SENATOR ECKHARDT: And now you're not
4 operating currently as the chair of a committee
5 because one has not been yet named, correct?

6 SENATOR KING: That is correct. That's --
7 I'm just winging it here.

8 SENATOR ECKHARDT: So are you -- can you
9 inform us why a special committee has not been formed
10 by the lieutenant governor since the lieutenant
11 governor has formed a special committee for flooding,
12 naming the Members as well as the chair and also
13 announcing a first field hearing?

14 SENATOR KING: I haven't talked to him
15 directly about that. I suspect the reason is that a
16 special committee cannot pass a bill, cannot take up
17 legislation. They are for the purposes of information
18 gathering.

19 The reason that we have to have this
20 resolution is because in our current rules, we don't
21 have -- we didn't set up a redistricting committee.
22 And so the purpose of the resolution would be to allow
23 the president of the Senate to appoint a senate
24 redistricting committee. And as a procedural
25 committee, it can take up legislation.

1 SENATOR ECKHARDT: I would like to make a
2 parliamentary inquiry because under Rule 11.03, it
3 states very clearly that the lieutenant governor, that
4 a special committee has the powers granted by these
5 rules to a standing committee, except as limited by
6 the charge of the president.

7 So my parliamentary inquiry is, can a
8 lieutenant governor name a special committee for
9 redistricting, or does it require a Senate resolution?

10 LIEUTENANT GOVERNOR PATRICK: Under Section
11 11.03, the lieutenant governor can appoint a special
12 committee. However, the committee is being provided
13 for in this resolution, Senator.

14 SENATOR ECKHARDT: Thank you very much for
15 answering my question.

16 So you've stated that you're not sure,
17 having read the DOJ letter, that there is anything to
18 rectify with regard to our 2021 redistricting map that
19 you voted for.

20 SENATOR KING: I'm sorry. I was still
21 trying to digest the parliamentary response. Could
22 you repeat that, please?

23 SENATOR ECKHARDT: Sure. You have stated in
24 responding to questions today that you are not sure,
25 as you stand here today, you're not sure if there is

1 anything to rectify in the 2021 redistricting map that
2 you voted for.

3 SENATOR KING: Well, I know there's been a
4 long lawsuit on that. I know that, but I know the
5 vote -- I believe that the map I voted for was legal,
6 and I'd have no facts or supporting data or anything,
7 any information behind the DOJ letter. So I don't
8 know what they based that on.

9 SENATOR ECKHARDT: What will you, as the
10 chair of this committee, presuming, of course, that
11 the lieutenant governor names you chair, what will you
12 be -- what metrics will you be looking for to
13 determine if a congressional district needs to be
14 rectified?

15 SENATOR KING: Well, the same thing that the
16 other committee Members will. We'll have a lot of
17 testimony. If history shows itself again, a lot of it
18 will be on the legal issues of redistricting.

19 As many questions as I've been asked today,
20 it makes me presume that those issues would come up in
21 testimony and by counsel that are very -- have a lot
22 of experience in redistricting law.

23 And then we'll also hear from citizens on
24 their interest and thoughts on redistricting, and the
25 committee would move forward as the committee deems

1 appropriate.

2 SENATOR ECKHARDT: Now, you've read the
3 Petteway decision.

4 SENATOR KING: Refresh my memory on that
5 one.

6 SENATOR ECKHARDT: The Petteway decision is
7 the decision out of the Galveston Commissioner's Court
8 redistricting.

9 SENATOR KING: I haven't read it, no. I'm
10 familiar with it.

11 SENATOR ECKHARDT: You're familiar with the
12 court's holding in that decision?

13 SENATOR KING: Yes, but I have not read the
14 decision.

15 SENATOR ECKHARDT: And would you agree with
16 me that the holding in that decision is that coalition
17 districts are not protected by the Voting Rights Act?

18 SENATOR KING: I would want to state the
19 holding correctly. So the holding is whatever it is.
20 I -- it's been a while since I've looked at it.

21 SENATOR ECKHARDT: And do you see a
22 discrepancy in what the court's holding was in that
23 case and what the Department of Justice letter
24 suggests is the holding?

25 SENATOR KING: Again, I really don't have

1 any comment on that at this time. All we're trying to
2 do today is consider the content of SR 5.

3 SENATOR ECKHARDT: So the Department of
4 Justice letter upon which we are apparently basing
5 this need for mid-decade redistricting states that our
6 2021 map has districts that are, quote,
7 "unconstitutionally racially-based gerrymandering."

8 So do you agree that your committee will
9 have to examine whether there are any
10 unconstitutionally racially-based gerrymanders in the
11 2021 map?

12 SENATOR KING: My hope is that the committee
13 will follow the scope of its charge.

14 SENATOR ECKHARDT: You stated that you
15 wanted the process to be as transparent as the process
16 provided over by Senator Huffman in 2021. And Senator
17 Huffman said during the 2021 redistricting debate, as
18 well as repeating this since in testimony in federal
19 court, that it was absolutely colorblind. You agree
20 that that has been the position?

21 SENATOR KING: Yes.

22 SENATOR ECKHARDT: And you've also stated, I
23 believe in response to one of the senator's questions,
24 that any analysis, if your committee does find a
25 unconstitutionally racially-gerrymandered district, it

1 will probably affect other districts besides it in
2 order to rectify; is that a fair restatement?

3 SENATOR KING: If I said it that way, it was
4 not intended that way. What I meant to say was that
5 when you change the boundary lines of one district, it
6 affects the boundary lines of at least one other
7 district and often more, depending on the scope of the
8 change. So if you change anything, it's going to
9 affect other districts.

10 SENATOR ECKHARDT: Sure. It has a domino
11 effect, right? I mean, we are -- it's like --

12 SENATOR KING: It could be a little domino
13 or a big domino.

14 SENATOR ECKHARDT: Right. We're -- we have
15 to have the right number of people in each district
16 and look at various other things. So you know -- you
17 can look this up on Wikipedia -- 25 out of the 37
18 Texas congressional districts currently are held by
19 white people.

20 SENATOR KING: I actually hadn't ever looked
21 at that, but I'll take your word.

22 SENATOR ECKHARDT: So at 25 out of 37,
23 that's 67 percent of the congressional seats are held
24 by white people, even though white people represent
25 about 40 percent of the state's population.

1 SENATOR KING: I've never thought of it in
2 those terms. I have thought of the fact that 25 are
3 Republican.

4 SENATOR ECKHARDT: Actually, the 25 out of
5 37, a couple of those 25 white people are Democrats.

6 SENATOR KING: Oh, okay. I'm sorry. Well,
7 the Republican delegation is 25 of the 38, I believe,
8 isn't it?

9 SENATOR ECKHARDT: Yeah, that's just a happy
10 accident. But actually, a couple of the 25 white
11 people are Democrats.

12 SENATOR KING: Okay. I'll take your word.
13 I -- but I honestly never look at that. I've just
14 always looked at the partisan aspect, the number of
15 Republicans and the number of Democrats. That's
16 what's important to me in the process.

17 SENATOR ECKHARDT: So since we are being
18 called upon to take a look at these maps, does it
19 concern you at all that 67 percent of the Texas
20 congressional delegation is white people, even though
21 white people like us only represent 40 percent of the
22 population?

23 SENATOR KING: As I've said before, I don't
24 take that into consideration in redistricting. I
25 strictly look at the partisan value. How many

1 Republican votes? How many Democrat votes? How many
2 Republican-elected officials? How many Democrat-
3 elected officials?

4 SENATOR ECKHARDT: And of course, Senator
5 Alvarado did ask you, or at least inform that 95
6 percent of the population growth that got us the two
7 additional congressional seats was driven by people of
8 color in Texas.

9 SENATOR KING: That is what she said, I
10 believe.

11 SENATOR ECKHARDT: So, is this mid-decade
12 redistricting effort intended to alleviate that lack
13 of non-white representation in a majority non- white
14 state?

15 SENATOR KING: I think the intent that we're
16 here about today is to respond to the governor's call
17 that we take up congressional redistricting in this
18 special session.

19 SENATOR ECKHARDT: If the effects of what we
20 do in this special session with regard to mid-decade
21 redistricting actually exacerbates the lack of non-
22 white representation in a majority non-white state,
23 would you be concerned?

24 SENATOR KING: As I mentioned, I think in
25 Senator West's questions that before anything comes

1 before the committee that's actually for consideration
2 -- a bill, an amendment -- that it would first have to
3 have been scrubbed to make sure that it is in
4 compliance with the Voting Rights Act. If it is not,
5 then the committee would not consider it.

6 SENATOR ECKHARDT: Who will be doing the
7 scrubbing to assure that the map complies with the
8 Voting Rights Act?

9 SENATOR KING: I don't know that yet.

10 SENATOR ECKHARDT: You mentioned that you
11 had interviewed several law firms. Can you tell us
12 which of those law firms you've interviewed?

13 SENATOR KING: If we broke for a few minutes
14 and I could go get the list from my staff. But again,
15 that gets into privilege issues and everything else.

16 And some of the problems we ran into is
17 others were already involved in redistricting. So
18 yes, I can get those names, but I don't know if it's
19 appropriate to bring them up before the body.

20 SENATOR ECKHARDT: Is it your opinion that
21 merely the name of a law firm is privileged
22 communication under attorney-client privilege even
23 before you've contracted with them?

24 SENATOR KING: You know, I honestly don't
25 know if it is or not in this context.

1 SENATOR ECKHARDT: I don't believe it is.
2 And who -- let me ask you this. With regard to the
3 private law firm that you intend to contract with, who
4 will be the client?

5 SENATOR KING: Well, I think you can do it
6 in different ways. What I have asked for is someone
7 that would be my counsel as chair of the committee.

8 SENATOR ECKHARDT: So you in your capacity
9 as chair of a Senate committee representing the people
10 of the State of Texas or representing your party?

11 SENATOR KING: Representing me in my
12 capacity as the chair of the committee.

13 SENATOR ECKHARDT: And so, I'm assuming by
14 that answer that it's you as the chair of a Senate
15 committee representing the people of Texas?

16 SENATOR KING: Well, I mean, yes, I guess in
17 the sense that a committee chair serves the Senate and
18 the Senate is for the purpose of serving the people of
19 Texas.

20 SENATOR ECKHARDT: Who will pay for this
21 private law firm?

22 SENATOR KING: Traditionally, they've had
23 contracts with leg counsel, and of course, leg counsel
24 is also there to advise Members of the Senate, as is
25 the Attorney General's Office has traditionally always

1 offered advice as well.

2 And then all the interest groups have a long
3 history of coming and giving advice to different
4 Members at a private level and testifying before the
5 committee as to their opinion on matters of law.

6 SENATOR ECKHARDT: So this private law firm
7 will be doing the scrubbing of a map with regard to
8 its compliance with the Voting Rights Act?

9 SENATOR KING: That hadn't been determined
10 yet who would do that. I can tell you that I just --
11 I don't want to know any facts about it. I just want
12 someone to bring me before we look at it, I just want
13 them to tell me the conclusion, their conclusion.
14 Under law, does it conform to the Voting Rights Act?
15 And if it doesn't, then I don't want to take it up.

16 SENATOR ECKHARDT: So you just want the
17 conclusion. You don't want any of the arguments that
18 led them to that conclusion?

19 SENATOR KING: Well, I'm just -- that's the
20 only way I know to avoid -- I don't want to look at
21 race data. I want to remain colorblind, as you framed
22 it.

23 SENATOR ECKHARDT: Is Lehotsky
24 Keller --

25 SENATOR KING: I want to look at -- and my

1 interest will be in the partisan factors. Does it
2 elect Republicans or does it elect Democrats?

3 SENATOR ECKHARDT: Because you're
4 representing Republicans as the chair of the
5 committee?

6 SENATOR KING: Because of my belief that the
7 policies that are being put forth by the Republican
8 majority in the U.S. Senate, such as border security,
9 tax cuts, international policy, because of my belief
10 that those are in the best interest of the United
11 States and of Texas and of my constituents.

12 SENATOR ECKHARDT: So again, I'm going to
13 ask, will it concern you if the results exacerbate the
14 lack of non-white representation for a majority non-
15 white state?

16 SENATOR KING: I have the highest level of
17 confidence that we're not going to pass a bill out of
18 the committee or off this floor that violates the
19 Voting Rights Act. And that's the best way I know to
20 say it.

21 SENATOR ECKHARDT: Is Lehotsky Keller one of
22 the law firms that you are considering?

23 SENATOR KING: I don't think so.

24 SENATOR ECKHARDT: But you do include
25 -- you do intend, as Senator Huffman did in the 2021

1 redistricting cycle, to leave all conversations or
2 analysis of race in the attorney-client privileged
3 category so as not to reveal that analysis?

4 SENATOR KING: Could you say that one more
5 time?

6 SENATOR ECKHARDT: Sure. Do you intend, as
7 was the case in the 2021 redistricting, to leave all
8 analysis of racial makeup in the hands of the lawyers
9 so that you can claim attorney-client privilege on
10 that analysis?

11 SENATOR KING: My intent is to not look at
12 racial data, to not take race into consideration in
13 any of my decisions. And anything that comes to me,
14 anything that I see, I want -- my intent is for it to
15 be transparent and to be available to anybody else to
16 look at as well.

17 So anybody else will be able to see whatever
18 I see, and I don't know how else to answer that.

19 SENATOR ECKHARDT: But you agree that in
20 order to determine whether a map is legal under the
21 Voting Rights Act, somebody is going to have to look
22 at the racial makeup of the district, whether the
23 racial voting block is cohesive, whether it is
24 geographically compact, whether there is a coalition
25 district or whether it is a crossover district,

1 correct?

2 SENATOR KING: Again, somebody's going to
3 have to do a Gingles analysis and other reviews. It
4 won't be me. I'm not going to look at that. I'm just
5 going to -- but again, we're getting way off track
6 here.

7 For the purpose of today, we have a
8 resolution before us that says that the lieutenant
9 governor can appoint the committee, and that sets up
10 some of the procedures for that committee that are
11 distinct from our standing rules.

12 SENATOR ECKHARDT: So let's get back to
13 these specific rules. I concur. Let's really look at
14 these specific rules. These are identical to the
15 rules from 2021, correct?

16 SENATOR KING: Yes, except they don't apply
17 to Texas House. They only apply to the congressional
18 map. That's all we're dealing with.

19 SENATOR ECKHARDT: Good point. They only
20 apply to the congressional map. There is a point in
21 these rules that seems appropriate to the 2021 regular
22 decennial redistricting that doesn't seem applicable
23 to this highly unusual mid-decade redistricting.

24 And it is, I believe it's Section 4.
25 Section 4 contemplates that you get a 24-hour layout.

1 But if it is a -- if it is past the 122nd day of the
2 regular or the bill originates in the House, then the
3 24-hour layout doesn't apply.

4 So are you suggesting that if a bill comes
5 over from the House, we don't get 24 hours to take a
6 look at it?

7 SENATOR KING: So again, I know it's a
8 little bit different when it comes over from the
9 House. That also would be a better parliamentary
10 inquiry than for me to answer it.

11 I intend to follow whatever the rules are,
12 current rules for the Senate as modified by this and
13 where necessary under the counsel of the
14 parliamentarian. But -- yes, I'm sorry. Go ahead.

15 SENATOR ECKHARDT: Well, I'm just trying to
16 explore with you whether you're open to amending these
17 rules, because at least in that regard, these rules
18 are inappropriate to a special session.

19 SENATOR KING: Well, I'm wanting to say that
20 2020 --

21 SENATOR ECKHARDT: You mentioned the 122nd
22 day of the regular, the bill coming over from the
23 House, this doesn't seem to apply in this
24 circumstance.

25 SENATOR KING: So as I recall, when we

1 actually took up redistricting in 2021, it was during
2 a special session because we didn't receive the census
3 data, I think, until August because the Biden
4 administration delayed it.

5 And then, so we weren't able to take up
6 redistricting in the regular session. And I don't
7 think we got it until August, and I think that's when
8 we were called back.

9 SENATOR ECKHARDT: Well, then perhaps this
10 was an inappropriate rule then as well, since it
11 mentions the 122nd day. Do you know how many
12 districts, congressional districts in Texas have
13 either coalition or crossover aspects?

14 SENATOR KING: I don't have any information
15 on any of that. I know that the map that we passed in
16 2021 was legal under the Voting Rights Act.

17 SENATOR ECKHARDT: Do you know how many
18 counties have 400,000 or more constituents who are in
19 a race class or language class that's protected by the
20 VRA?

21 SENATOR KING: Not off the top of my head.

22 SENATOR ECKHARDT: Is that something of
23 interest to you as the chair of this committee?

24 SENATOR KING: Again, I don't think it -- I
25 don't intend to take -- to consider any racial data.

1 I intend to be colorblind, and I intend to look at the
2 partisan aspect of Republicans and Democrats.

3 SENATOR ECKHARDT: How can one be colorblind
4 in complying with the Voting Rights Act with regard to
5 redistricting?

6 SENATOR KING: You know, those are really
7 good questions that would be great for you to pose if
8 you wanted to sit in on the redistricting committee.
9 Because we'll have some lawyers giving a lot of
10 testimony on all the aspects of the Voting Rights Act
11 and the 14th Amendment.

12 SENATOR ECKHARDT: Thank you for answering
13 my questions.

14 SENATOR KING: Thank you.

15 LIEUTENANT GOVERNOR PATRICK: So, Members,
16 as clarification, the printing rule would still apply
17 to a bill, and it requires a minimum 24-hour layout.

18 Senator King, would you like to make any
19 closing remarks?

20 SENATOR KING: I've probably said about
21 everything you can say. I would just say that again,
22 we're here today to suspend and then hopefully adopt
23 the resolution. It is what we followed. It's not --
24 it's hard to do apples to apples with what we did in
25 '21 and '23, precisely so because we were considering

1 Texas House, the SBOE and the Texas Senate maps as
2 well.

3 But this is the same resolution that we used
4 then, and it'll be the same process. And I think it's
5 the most reasonable way for the Senate to proceed.
6 And so with that, I would move for suspension.

7 LIEUTENANT GOVERNOR PATRICK: Senator King
8 moves to suspend Rule 8.02 to take up and consider
9 Senate Resolution 5. Secretary will call the roll.

10 THE CLERK: Alvarado, Bettencourt, Birdwell,
11 Blanco, Campbell, Cook, Creighton, Eckhardt, Flores,
12 Gutierrez, Hagenbuch, Hall, Hinojosa of Nueces,
13 Hinojosa of Hidalgo, Huffman, Hughes, Johnson, King,
14 Kolkhorst, Menendez, Middleton, Miles, Nichols,
15 Parker, Paxton, Perry, Schwertner, Sparks, West, and
16 Zaffirini.

17 LIEUTENANT GOVERNOR PATRICK: There being 19
18 ayes and 11 nays, the rule is suspended. The Chair
19 lays out the following resolutions. Secretary, read
20 the resolution.

21 THE CLERK: Senate Resolution 5 adopting
22 redistricting rules and procedures.

23 LIEUTENANT GOVERNOR PATRICK: Following
24 amendment. Secretary, read the amendment.

25 THE CLERK: Floor amendment number one by

1 Alvarado.

2 LIEUTENANT GOVERNOR PATRICK: Senator

3 Alvarado, you're recognized.

4 SENATOR ALVARADO: Thank you, Mr. President.

5 This amendment is pretty straightforward.

6 In addition to any regional hearings on congressional
7 redistricting in general, it requires the committee to
8 have five regional hearings on any congressional map
9 that the committee is considering.

10 Doing mid-decade redistricting is not a
11 normal process. It is highly unusual and rare. There
12 is no compelling reason to draw the maps right now.
13 As I said earlier, about an hour ago, there's no court
14 order. There's no new demographic data or information
15 on population shifts.

16 Therefore, it is absolutely critical that we
17 give Texans an opportunity to give their input on a
18 map that may diminish their representation. Requiring
19 the committee to have these hearings on any map under
20 consideration before a vote will help provide that
21 opportunity for the public to weigh in.

22 I think Senator Blanco laid it out pretty
23 well that it looks like we are giving less of an
24 opportunity than we have historically done when it
25 comes to these regional hearings. I move adoption.

1 LIEUTENANT GOVERNOR PATRICK: Chair
2 recognizes Senator King.

3 SENATOR KING: Thank you, Mr. President.
4 With great respect for the Senator, I think the way
5 this is constructed, it would require five regional
6 hearings on any bill that was filed.

7 So if there were seven or eight maps filed,
8 we would have to have five hearings on each bill. The
9 same would apply to a resolution. It would also --
10 again, we're putting these in the rules for the entire
11 interim period.

12 So any additional special sessions that we
13 might have -- and I'd remind you, in 2003, we had
14 three on congressional redistricting -- any special
15 sessions we might have, we would have to have five
16 hearings on any resolution and five hearings on any
17 bill in those specials as well.

18 And I appreciate the intent, but I think it
19 requires too much. I just hope you all would trust me
20 to try to have as many hearings as we need to have
21 when bills, if bills come forward. And with that, I
22 would ask you to vote no on the adoption of the
23 amendment.

24 LIEUTENANT GOVERNOR PATRICK: Questions on
25 the adoption of form amendment number one? Secretary

1 will call the roll.

2 THE CLERK: Alvarado, Bettencourt, Birdwell,
3 Blanco, Campbell, Cook, Creighton, Eckhardt, Flores,
4 Gutierrez, Hagenbuch, Hall, Hinojosa of Nueces.

5 LIEUTENANT GOVERNOR PATRICK: There'll be 11
6 ayes, 19 nays. Amendment fails.

7 The following amendment. Secretary, read
8 the amendment. The following amendment, secretary,
9 read the amendment.

10 THE CLERK: For amendment number two by
11 Eckhardt.

12 LIEUTENANT GOVERNOR PATRICK: Senator
13 Eckhardt, you're recognized.

14 SENATOR ECKHARDT: Thank you so much. And
15 I'll wait until Senator King has an opportunity. This
16 amendment is identical to Senator Alvarado's amendment
17 except that it has 12 regional meetings.

18 And the reason for that is because that's
19 the number that was provided in 2021. Additionally, I
20 believe that Senator King is misreading the any bill
21 portion because the any bill refers to a bill under
22 consideration by the committee before the committee
23 takes any formal action.

24 So it's not every single map; it's not every
25 single bill. It's what's being taken up by the

1 committee. And I ask for your support so that we
2 truly do have a process that is at least as inclusive
3 as the process that we utilized in '21.

4 LIEUTENANT GOVERNOR PATRICK: Senator
5 Alvarado, for what purpose?

6 SENATOR ALVARADO: To ask the author of the
7 amendment a question.

8 LIEUTENANT GOVERNOR PATRICK: Do you yield,
9 Senator Eckhardt?

10 SENATOR ECKHARDT: I do.

11 SENATOR ALVARADO: Senator Eckhardt, I'm
12 glad that you brought this back up because I wanted to
13 correct or debate Chairman King, because it clearly
14 says that it would -- you would have to have these
15 regional hearings on any bill resolution relating to
16 the composition of congressional districts under
17 consideration by the committee.

18 So I believe yours does the same thing,
19 right?

20 SENATOR ECKHARDT: It does. The idea in my
21 amendment, just as in yours, was to give the benefit
22 of Texans all across the state through these regional
23 hearings the ability to weigh in on live, actual,
24 probable, probably-voted maps, something that is being
25 taken up by the committee to be voted out and

1 considered on the floor of this Senate.

2 SENATOR ALVARADO: Okay. Well, thank you
3 for clarifying that. And just again, tell me, why do
4 you think it's important that we apply the same
5 process like the last redistricting process?

6 SENATOR ECKHARDT: Well, frankly, under the
7 last redistricting process because it's
8 constitutionally required at the first regular session
9 after the decennial census is available, frankly,
10 Texans, like all of the rest of the United States,
11 have literally had 250 years of notice that it's going
12 to be happening. Whereas this, this mid-decade
13 redistricting, the people of Texas only heard about it
14 just over three weeks ago.

15 SENATOR ALVARADO: And would you also think
16 that because it's almost -- well, in the still
17 summertime, in the middle of summer, that people are
18 not thinking about this?

19 SENATOR ECKHARDT: I think it's highly
20 probable that people aren't even aware. They know
21 that we're having a special session with regard to the
22 flood. The flood has been all over the news and for
23 good reason.

24 But I think most Texans are not aware that
25 re-redistricting is on the special. And if they are,

1 they're not fully cognizant of what the impact is
2 going to be to them and their voting strength in their
3 community.

4 Frankly, we're not even cognizant of the
5 effects of this re-redistricting because we haven't
6 seen any map yet and are unlikely to see one until the
7 very end of the -- at the tail end of the process.

8 And based on our question-and-answer period,
9 it's likely to be very similar to '21 where we will
10 not have the benefit of any of the racial analysis
11 that must go on in order to determine whether the map
12 is VRA acceptable.

13 LIEUTENANT GOVERNOR PATRICK: Senator
14 Blanco, for what purpose?

15 SENATOR BLANCO: Questions for the author of
16 the amendment.

17 LIEUTENANT GOVERNOR PATRICK: Senator
18 Eckhardt, do you yield?

19 SENATOR ECKHARDT: I do.

20 SENATOR BLANCO: Thank you, Senator
21 Eckhardt, for bringing this amendment. In reading
22 your amendment, it says the committee shall hold 12
23 regional hearings to solicit input. Are these 12
24 hearings virtual hearings? Are they in-person
25 hearings?

1 SENATOR ECKHARDT: My amendment does not
2 opine on whether they are virtual or in person. But I
3 can tell you my intention with regard to putting this
4 amendment forward is after looking at the very, very
5 available statistics with regard to the demography of
6 the State of Texas, 12 regional hearings would be
7 frankly a minimum to address the apportionment of
8 congressional representation in a majority non-white
9 state.

10 SENATOR BLANCO: Thank you for that. I'm
11 looking at Section 2(c) in the resolution, and it
12 says, "A witness testifying by video conference must
13 be clearly visible and audible to the committee
14 Members."

15 Now we've heard some discussion today and
16 this is something important in my district. I
17 represent a very rural district. Most -- much of West
18 Texas and rural Texas does not have access to
19 broadband.

20 In fact, across many communities, there
21 isn't any reliable broadband. And according to the
22 U.S. Census Bureau, there are 7 million Texans -- 7
23 million Texans that still lack broadband internet.

24 That's 7 million Texans that the community
25 would -- the committee may essentially shut down the

1 door by only allowing virtual hearings. And that's
2 why I asked the question whether it's 12 virtual
3 hearings or 12 in person.

4 I know we had several hearings in person
5 last redistricting, but I am very concerned that
6 reading Section 2(c), that "by video conference, must
7 be clearly visible and audible to the committee
8 Members," yet 7 million Texans lack broadband
9 internet, most of which are in rural communities that
10 many of us represent.

11 I just wanted to clarify that question. So
12 thank you for that amendment, and I'll be supporting
13 the amendment.

14 SENATOR ECKHARDT: And I'd like to respond
15 to your mention of the broadband issue because I think
16 that this is important. Seven million Texans do not
17 have broadband. During COVID, Senator Nichols
18 actually put forth a bill for a broadband plan, and
19 the Biden administration awarded the State of Texas
20 \$3.3 billion under the BEAD, which is the Broadband
21 Equity and Access Development act, or program,
22 otherwise known as BEAD.

23 And I don't know if this chamber is aware
24 that on June 6th, the Trump administration rescinded
25 that \$3.3 billion award and is requiring the state to

1 put it through a new NOFA, a new Notice of Funds, thus
2 slowing down our ability to get those 7 million more
3 Texans on broadband, including portions of my very
4 urban district that do not have broadband.

5 SENATOR BLANCO: Very important.

6 SENATOR ECKHARDT: So, thank you for the --

7 SENATOR BLANCO: I'm glad you brought up
8 that point because you're right. In 2023, Texas
9 voters approved 1.5 billion from our state budget to
10 create Broadband Infrastructure Fund. Now that we
11 don't have that 3.3 billion available from the feds,
12 we're really going to rely on that 1.5 billion that
13 was passed two years ago, which probably is not in
14 effect right now.

15 So the point stands that 7 million Texans do
16 not have broadband in our state, yet a lot of these
17 four, maybe four will be virtual. That's not open.
18 That's not giving voice, particularly to our rural
19 communities. So I appreciate you bringing forward
20 this amendment.

21 SENATOR ECKHARDT: Thank you so much.

22 LIEUTENANT GOVERNOR PATRICK: Chair
23 recognizes Senator King.

24 SENATOR KING: Thank you, Mr. President. I
25 know that the broadband issue, access isn't really

1 part of the amendment, but just to respond. I mean,
2 every public library has internet access. It's almost
3 all of our rural areas have at least line of sight.

4 I think with Elon Musk's service, you can --
5 I was speaking with a missionary in deep hills of
6 Mexico a while back. And I said, "Do you have
7 internet service?" And she said, "Oh, yeah, we get
8 streaming video because of the services that are
9 available by satellite." So I don't know that that's
10 the issue it's been in the past. But it is certainly
11 one for consideration. I understand.

12 With regard to the amendment itself, and the
13 Senator is right, it doesn't require, in this case, 12
14 hearings on every bill, but only on those bills under
15 consideration by the committee, which there might be a
16 little disagreement of what it means to be under
17 consideration, but certainly before any action would
18 take place.

19 And I just -- I don't, to my knowledge, the
20 Senate has never put requirements on a chair or on a
21 committee for how many days of hearings they have on
22 any bill before they take a vote.

23 I think they trust the committee chair and
24 the committee Members to make those decisions. And so
25 with that, along with the comments earlier with regard

1 to Senator Alvarado's amendment, I would just ask you
2 to vote no.

3 LIEUTENANT GOVERNOR PATRICK: Questions on
4 the adoption of floor amendment number two. Secretary
5 will call the roll.

6 THE CLERK: Alvarado, Bettencourt, Birdwell,
7 Blanco, Campbell, Cook, Creighton, Eckhardt, Flores.

8 LIEUTENANT GOVERNOR PATRICK: Eleven ayes
9 and 19 nays. The amendment fails. The following
10 amendment. Secretary, read the amendment.

11 THE CLERK: Floor amendment number three by
12 Miles.

13 LIEUTENANT GOVERNOR PATRICK: Chair
14 recognizes Senator Miles.

15 SENATOR MILES: Thank you, Mr. Chairman.

16 Senator King, it says in this resolution
17 that during the call or session, the redistricting
18 committee only has to provide notice of 48 hours in
19 advance regional meeting.

20 We know from history that these regional
21 meetings can be scheduled on the weekdays and take
22 many hours. We haven't seen a map yet. You know,
23 many of my constituents are working-class citizens
24 that work during the day, and they don't have the
25 freedom to just take off work whenever they feel like

1 it.

2 You and I both agree this is a very, very,
3 very important matter to not just my constituents, but
4 all the citizens of the State of Texas.

5 You know, as I pointed out earlier, three of
6 these districts that are in the crosshairs are either
7 in my district or partly in my district. And I'm
8 really concerned that this resolution and this
9 redistricting or this "rig districting," as I referred
10 to, is becoming a blatant attack, a blatant racist
11 attack on my people's democracy.

12 I'm simply going to ask for this amendment
13 to allow a little bit more time for the people to
14 request off work to attend one of these meetings.

15 It just says redistricting committee must
16 give at least 72 hours' notice of a regional meeting.
17 In this, we can hear from a large portion of a
18 community that's going to be directly impacted,
19 directly impacted by the rig districting. I would
20 hope that this amendment would be acceptable to you
21 and all of my colleagues.

22 LIEUTENANT GOVERNOR PATRICK: Chair
23 recognize Senator King.

24 SENATOR KING: Thank you, Mr. Chairman.
25 Again, I've just tried to follow the same process that

1 we used in 2021 and 2023. It worked very well. There
2 was no shortage of witnesses or participation in those
3 hearings.

4 And so, I would just say if it worked
5 before, it should work again very well. And would ask
6 that we retain the 48 hours' notice and ask you to
7 vote with me in opposing the motion -- opposing the
8 amendment.

9 LIEUTENANT GOVERNOR PATRICK: Questions on
10 the adoption of floor amendment number three?
11 Secretary will call the roll.

12 THE CLERK: Alvarado, Bettencourt, Birdwell,
13 Blanco, Campbell, Cook, Creighton.

14 LIEUTENANT GOVERNOR PATRICK: Eleven ayes,
15 19 nays. Amendment fails.

16 The following amendment. Secretary, read
17 the amendment.

18 THE CLERK: Floor amendment number four by
19 Eckhardt.

20 LIEUTENANT GOVERNOR PATRICK: Chair
21 recognizes Senator Eckhardt.

22 SENATOR ECKHARDT: Members, this is a follow
23 on to Senator Miles' amendment with regard to field
24 hearings, 72 hours' notice on field hearings. This
25 would provide a 72-hour notice for any hearings here

1 so that folks who wanted to come to the legislature
2 and give their testimony in advance of us taking up a
3 vote would have 72 hours.

4 Also, it would provide us 72 hours to review
5 what's coming out of the committee and also inform our
6 vote.

7 LIEUTENANT GOVERNOR PATRICK: Chair
8 recognize Senator King.

9 SENATOR KING: Thank you, Mr. President.
10 Same --

11 LIEUTENANT GOVERNOR PATRICK: Senator
12 Alvarado. Chair recognizes, for what purpose?

13 SENATOR ALVARADO: To ask the author a
14 question.

15 LIEUTENANT GOVERNOR PATRICK: Senator
16 Eckhardt, do you yield?

17 SENATOR ECKHARDT: I do.

18 SENATOR ALVARADO: Okay. Senator Eckhardt,
19 thank you for bringing this amendment forward and
20 Senator Miles as well. I think you-all did a good job
21 of laying out why we need that extra time.

22 And what I'm troubled by is that they're
23 picking and choosing what we want to do like the
24 normal process. So it's okay to keep the normal
25 process for notification, but it's not okay to have

1 the regional hearings. So there's some inconsistency
2 there. So we're cherry picking what we're going to
3 have that was like the process in 2021. Would you
4 agree with that?

5 SENATOR ECKHARDT: I would. And frankly, I
6 don't think that we can have the same process as in
7 2021 because as we've stated before, 2021 was a known
8 redistricting that we knew was coming far in advance
9 for literally years. This is coming swiftly.

10 SENATOR ALVARADO: Uh-huh.

11 SENATOR ECKHARDT: It was placed on the call
12 in the last week of June and here we are the next
13 month.

14 SENATOR ALVARADO: Right.

15 SENATOR ECKHARDT: So we really do need time
16 to analyze what is going to be coming through in this
17 process.

18 SENATOR ALVARADO: And I would say there is
19 leading up to redistricting, it's almost like a Texas
20 two step because we talk about the importance of the
21 census. And then the next step is redistricting. So
22 there is -- it's building up to redistricting. Would
23 you say that's accurate?

24 SENATOR ECKHARDT: Absolutely. We have the
25 whole effort around the census informs our population

1 that this is how we make sure we get counted so that
2 we are sure that we are counted in reapportionment.

3 So quite literally, we have a years-long
4 lead up to our decennial redistricting process. There
5 has not been a years-long lead up to this. As far as
6 we know, it was a demand by the President specifically
7 to bolster political strength going into a midterm
8 election cycle where he fears losing seats in the U.S.
9 House.

10 SENATOR ALVARADO: Is this the fourth
11 amendment we're taking up today on this parliamentary
12 inquiry?

13 SENATOR ECKHARDT: Yes. Floor amendment
14 number four.

15 LIEUTENANT GOVERNOR PATRICK: State your
16 inquiry.

17 SENATOR ALVARADO: Are there any other
18 amendments beyond this one?

19 LIEUTENANT GOVERNOR PATRICK: We have no
20 further amendments on the desk.

21 SENATOR ALVARADO: Okay.

22 Senator Eckhardt, so do you realize that
23 we've had -- I'm assuming he's going -- Chairman King
24 is going to oppose this. So we will have had four
25 amendments that have been presented that call for more

1 time, more transparency, more ways to have input from
2 the public.

3 None of them have been approved, have been
4 voted in favor of, and all four were submitted by
5 Democrats. So, so far, there has not been input on
6 these rules allowed from any Democrat on the floor.

7 SENATOR ECKHARDT: Yes, there has not been
8 any input allowed or voted successfully on the floor.
9 But I would make one more note that there is nothing
10 partisan, and I would hope it would be a bipartisan
11 effort to make sure that this process was transparent
12 and gave everyone in Texas, irrespective of where they
13 live, what party affiliation they have, what color
14 they identify, what language is their predominant
15 language, that every Texan would have the transparency
16 and the access to be involved in this process.

17 SENATOR ALVARADO: Thank you.

18 LIEUTENANT GOVERNOR PATRICK: Senator Miles,
19 for what purpose?

20 SENATOR MILES: Questions to the author of
21 the amendment.

22 LIEUTENANT GOVERNOR PATRICK: Senator
23 Eckhardt, do you yield?

24 SENATOR ECKHARDT: I do.

25 SENATOR MILES: Senator Eckhardt, we spent

1 all day today on the first day of a special session on
2 what issue?

3 SENATOR ECKHARDT: On a mid-decade
4 redistricting that is not required by law.

5 SENATOR MILES: That is not required by law.
6 We've spent the entire day on the first day of special
7 session, correct?

8 SENATOR ECKHARDT: Correct.

9 SENATOR MILES: Have we talked about any
10 flood issues?

11 SENATOR ECKHARDT: Not once except --

12 SENATOR MILES: Have we talked about any
13 THC?

14 SENATOR ECKHARDT: Nope.

15 SENATOR MILES: So we've spent all day on
16 this one particular issue.

17 SENATOR ECKHARDT: Yes, we have.

18 SENATOR MILES: Makes you wonder, doesn't
19 it?

20 SENATOR ECKHARDT: It sure does.

21 SENATOR MILES: Thank you, Mr. President.

22 LIEUTENANT GOVERNOR PATRICK: Chair
23 recognizes Senator King.

24 SENATOR KING: Thank you, Mr. President.
25 With respect to the amendment author, these are the

1 same rules, the same time frame, the same 48 hours
2 that this body approved unanimously 31 to 0 in 2021,
3 and 31 to 0 in 2023.

4 And I don't recall any complaints that
5 people were not able to get adequate notice and
6 participate. So because of that, I would oppose the
7 amendment.

8 LIEUTENANT GOVERNOR PATRICK: The question
9 is on the adoption of floor amendment number four.
10 Secretary will call the roll.

11 THE CLERK: Alvarado, Bettencourt, Birdwell,
12 Blanco, Campbell, Cook.

13 LIEUTENANT GOVERNOR PATRICK: Eleven ayes,
14 19 nays. The amendment fails.

15 If there are no further amendments, the
16 Chair will now recognize any member who wishes to
17 speak for or against the resolution before the final
18 vote is taken.

19 Chair recognizes Dean of the Senate, Senator
20 Zaffirini.

21 SENATOR ZAFFIRINI: Thank you,
22 Mr. President.

23 Mr. President and Members, this debate is
24 not merely about lines on a map. It is about the
25 strength of our democracy and the trust of every

1 Texan, Republican, Democrat, or independent that
2 everyone's voice counts, and that everyone's vote
3 matters.

4 Let us remember, Members, that trust is far
5 easier to lose than to restore. I am very concerned
6 that if we proceed down this path, trust will be lost
7 statewide.

8 The State of Texas has argued repeatedly in
9 federal court exactly what Chair Huffman argued in the
10 Senate that current congressional maps were drawn
11 blind to race. Yet now, an unsolicited Department of
12 Justice letter about ostensibly reverse racial
13 discrimination is being used as the basis for
14 justifying mid-cycle re-redistricting, one that
15 conveniently protects and, in fact, increases the
16 current partisan majority in Congress while likely to
17 diminish the voices of our minority communities.

18 The question is why the rush to redraw
19 districts mid-decade before any court has ruled the
20 current maps unconstitutional instead of waiting for
21 the 2030 census as tradition and fairness demand.

22 Minority communities have fought for decades
23 to secure the right to elect candidates of our choice.
24 What guarantees are there that this partisan process
25 will not dilute our voices? And if fairness is truly

1 the goal, what metrics -- proportionality, communities
2 of interest, genuine representation -- will be used to
3 evaluate any new map at this time?

4 Members, we all know that Members of
5 Congress, traditional lobbyists about redistricting,
6 but I for one have not heard from a single incumbent
7 urging me to support this effort with the primaries in
8 March. Consider the impact of a new district on their
9 campaigning.

10 Consider the impact on challengers to
11 incumbents. Specifically, for example, the Democratic
12 county judge in Webb County who changed parties last
13 December to run in the Republican primary for Congress
14 and now has no idea in what district he will run.

15 Also, consider the unintended consequences.
16 Does a new map mean the primary will have to be
17 delayed? Will the new map result in a term I learned
18 last week -- dumb mandering? I hope so, because dumb
19 mandering, I learned last week, refers to the process
20 of redistricting intended to benefit one party, but
21 instead has the impact of benefiting the other.

22 I hope that it does if we do this, Members.
23 I truly do. Mr. President and Members, for that
24 reason and more, I will respectfully vote no on Senate
25 Resolution 5. Thank you.

1 LIEUTENANT GOVERNOR PATRICK: Chair
2 recognizes Senator Menendez.

3 SENATOR MENENDEZ: Thank you, Mr. President.
4 Members, I'll make this quick. Since 2008 -- since
5 2008, our attorney generals, both when he was then
6 General Abbott and General Paxton, have sued the
7 federal government over 60 times -- six, zero -- 60
8 times.

9 But here on July the 7th, we receive a
10 letter from the Department of Justice written to,
11 ironically, Governor Abbott and General Paxton. In
12 the first paragraph, "This letter will serve as formal
13 notice by the Department of Justice of the State of
14 Texas of serious concerns with the legality of four of
15 Texas congressional districts, as stated below,
16 currently constitute unconstitutional coalition
17 districts, and we urge the State of Texas to rectify
18 these race-based considerations from these specific
19 districts."

20 I'll avoid repeating all of the legal cases
21 that they cite, but I'll go to the end. "Please
22 respond to this letter." Remember what I said -- it
23 was dated July 7th. "Please respond to this letter by
24 July 7th, 2025, and advise me of the state's intention
25 to bring its current redistricting plans into

1 compliance with the U.S. Constitution. If the State
2 of Texas fails to rectify the racial gerrymandering,
3 the Attorney General reserves the right to seek legal
4 action against the state, including without
5 limitation, under the 14th Amendment. Respectfully,
6 Harmeet K. Dhillon, Assistant Attorney General,"
7 ironically, Civil Rights Division.

8 And what was our response? This was a
9 letter we received on July 7th. What did the State of
10 Texas do? Did the General Paxton, did he sue the
11 federal government? Did he tell them we're the State
12 of Texas; we would not have filed a racially-
13 gerrymandered district. None of our Members would
14 have voted for that. All of my Republican senators
15 voted for the maps.

16 No. The governor issues a proclamation two
17 days later adding redistricting to a call that should
18 have a focus on the flooding, the victims of the
19 flooding, the terrible loss, and other important
20 matters.

21 This is a disgrace. This whole issue is a
22 disgrace. It's a disgrace that we're sitting here
23 taking this up when people are suffering in this
24 state.

25 There's plenty of time to do this later.

1 And for these reasons, we should vote no on Senate
2 Resolution 5.

3 LIEUTENANT GOVERNOR PATRICK: Chair
4 recognizes Senator Cook.

5 SENATOR COOK: Thank you, Mr. President. I
6 don't know what everybody else did with the last five
7 weeks, but I spent it in the emergency department with
8 the downtrodden, the hungry, the overheated, the poor.
9 I washed mud-encrusted feces off of people, picked
10 bugs off of people, held their hands -- held their
11 lives together with my hands.

12 And this is our number one priority when we
13 come back for special session? This is egregious.
14 It's changing the rules of the game so that you can
15 keep winning, and it's wrong.

16 The first thing that we should do is come
17 back and address the flooding tragedy. Absolutely.
18 And yet, we have spent the entire day talking about
19 redistricting, and redistricting is complicated. It
20 is. But you know what's not? Looking at a
21 gerrymandered map. Every single Texan responds
22 viscerally to those bizarrely-shaped districts winding
23 around and breaking through communities.

24 Every single one of us knows that it's
25 wrong. What we are doing in this chamber right now,

1 what our leadership is asking us to do, is to protect
2 the President over the people of Texas. And I really
3 think that if you-all had to go and look every single
4 day at the racial disparities of health care that
5 exists in this state, this would not be what we were
6 working on today. I will also be voting no. Thank
7 you.

8 LIEUTENANT GOVERNOR PATRICK: Chair
9 recognizes Senator Hughes.

10 SENATOR HUGHES: Thank you, Mr. President.
11 And thank you, Members.

12 I'll just say it's obvious these are
13 important matters being discussed. And I wanted to
14 take a moment to thank Senator King for the attention
15 he's given to this, for the precision of his answers,
16 for his kindness, for his courtesy, for his patience,
17 and for each member.

18 We understand this -- important things we're
19 talking about. But I just wanted to say, Senator
20 King, thank you for taking this up, and thank you for
21 the way you're handling this.

22 Thank you, Mr. President.

23 LIEUTENANT GOVERNOR PATRICK: Chair
24 recognizes Senator Blanco.

25 SENATOR BLANCO: Thank you, Mr. Chair.

1 Members, let's speak plainly here. What's happening
2 here is an effort to redraw our state maps, and it's
3 being driven by political power. That's the bottom
4 line. Nothing more, nothing less.

5 It's about political power, and it's
6 happening while our state is still mourning those that
7 we lost during this devastating flood. And it's the
8 first thing we discuss on this Senate floor.

9 And it's being fast tracked and packed into
10 a special session without enough time or space for the
11 public to be heard. On the floor today, we're told,
12 well, we're working under a condensed time frame, and
13 I understand that.

14 And to that, I ask, whose time frame? Whose
15 time frame are we forced to work under? In 2021, when
16 the legislature drew the maps that Senator Huffman led
17 a process, it included over a dozen regional hearings.
18 We've heard a lot about that. From El Paso to the Rio
19 Grande Valley, from the Panhandle to East Texas,
20 Texans had a chance to voice their concerns.

21 They had an opportunity to speak up. We had
22 an opportunity to listen. That was the standard that
23 was set by this body. And now we're being told there
24 may be four hearings -- virtual, not sure yet.
25 Virtual access is not the same as equal access.

1 All of us that represent rural communities
2 know that. Across the state, many communities still
3 don't have broadband. Seven million Texans, as
4 mentioned earlier, don't have access to broadband.
5 Not my numbers. These are the numbers from the U.S.
6 Census Bureau.

7 That's 7 million Texans that the committee
8 could potentially shut the door on by only allowing
9 virtual hearings. Members, that's not listening to
10 our communities. That could potentially silence them.

11
12 And if we're not listening to the people
13 that we represent, then who are we listening to? When
14 people don't see themselves as part of the process,
15 then they stop believing in the process. And that's
16 how trust in government is broken.

17 We hear about that all the time about
18 Washington, D.C. Well, this is very much Washington,
19 D.C. And Texans deserve better than the rushed
20 process and a closed door. And if we're going to do
21 this, I want to urge my Republican colleagues to
22 increase the number of hearings from 4 to 12, just
23 like we did in 2021. We shouldn't be having less.

24 We should have at least 12. But that was
25 shot down. And let's make sure when we have those

1 hearings that those hearings are in person. Sure, we
2 could have virtual options, but every Texan should
3 have a real chance, a real opportunity to participate
4 in person, no matter what their ZIP code is, no matter
5 where they live, whether or not they have internet
6 access.

7 Because if we're going to redraw the maps to
8 shape our democracy, then democracy should have a seat
9 at the table.

10 Thank you, Mr. Chair.

11 LIEUTENANT GOVERNOR PATRICK: Chair
12 recognizes Senator Johnson.

13 SENATOR JOHNSON: Thank you, Mr. President.

14 Unfortunately, I think we'll probably have
15 another day of long discussions later. I'll keep this
16 one brief. What shocks me so much about this is how
17 we've rendered this chamber to be such a pathetic
18 tool.

19 I mean, really, we're going about very
20 important business. We all know it. We've got a lot
21 of work to do here. And Washington, D.C. calls down
22 and says, I want five new seats. And they conjure up
23 this absurd pretext of a constitutional dilemma. I
24 mean, we're also violating separation of powers again.

25 The legislature is preemptively assuming

1 that we have a constitutional problem with the
2 composition of these congressional districts. That's
3 not our decision. The courts figured that stuff out.
4 That's why we've been tied up in litigation for four
5 or five years already in El Paso.

6 I'm just surprised that we don't have more
7 pride in the Senate as an institution. We drew the
8 maps. Why on earth would we say, well, okay, we'll
9 give you five new -- 15 new seats? Maybe we should
10 redistrict every six months. Every time the public is
11 unhappy with bad performance in Washington, D.C., and
12 threatens to hold the legislature accountable for
13 their -- I'm going to delete the expletives -- bad
14 policies, we'll just redistrict in order to avoid
15 accountability.

16 It's an assault on the American electoral
17 system. I don't really want to hear anyone talking
18 about election integrity again because we are
19 completely de-legitimizing the power of the voters to
20 speak their opinions.

21 More and more, people's voices count less
22 and less, and we're facilitating it, and we don't need
23 to. This is pretty simple. We should just tell
24 Washington, D.C., no, we have better, more important
25 things to do.

1 There's a bunch of stuff on this call that I
2 don't think should be on here, but I don't really
3 begrudge having to be here. I don't even begrudge
4 losing the vote. But this stuff, this is appalling.
5 It's embarrassing.

6 And I really think everybody in this chamber
7 ought to simply say, no, we're not a tool. We are our
8 own legislative body. Let's stand up for ourselves
9 and legislate the things we're supposed to, not this
10 garbage.

11 LIEUTENANT GOVERNOR PATRICK: Chair
12 recognizes Senator Miles.

13 SENATOR MILES: Transparency. Transparency.
14 Three times. Transparency. That's the word we've
15 been using all day. Well, let's be clear about this
16 transparency. Donald Trump is orchestrating a
17 coordinating, a dangerous attempt to strip away power
18 from black and brown communities in Texas.

19 They are targeting congressional districts
20 right here at home with strong black and brown
21 representation, not because it's the right thing to do
22 or constitutional, but because it's politically
23 convenient. Just politically convenient.

24 This is nothing more than a blatant shame
25 racist power grab rooted in the fear of changing

1 demographics and the growing political voices of black
2 and brown. That's all this is. That's the
3 transparency and the truth. This isn't redistricting.
4 It's rig districting. Rig districting. The Trump
5 administration has put a target on the backs of those
6 who have dared to speak up the truth.

7 And now the MAGA machine is hell bent on
8 blocking and silencing historically in black and brown
9 voices. Senate District 13, as I told you, the
10 largest minority-majority district in the State of
11 Texas, includes three -- three of the target districts
12 in the crosshairs of this attempt.

13 There's nothing legal about this. This is a
14 political attack on democracy, a strategic assault to
15 steal the 2026 election, to flip congressional
16 districts, even if it means gutting black and brown
17 districts in Texas and taking our power.

18 Look, Democrats, we have to refuse to make
19 this easy for them. We cannot let them erase and
20 silence the black and brown voices that died for us to
21 have the right to have a voice in the State of Texas.

22 LIEUTENANT GOVERNOR PATRICK: Members, is
23 there anyone else wishing to speak?

24 Senator Eckhardt, you are recognized.

25 SENATOR ECKHARDT: Briefly. I like

1 everybody in this chamber. I genuinely do. But it
2 really causes me to question who we are as a state
3 when in the 2021 session, which was my first, I saw so
4 many good people of good conscience take up Donald
5 Trump's insistence on the big lie because he didn't
6 get what he wanted in 2020.

7 And I saw so many good people in this
8 chamber perpetuate the idea that the election had been
9 stolen when there was zero evidence of that. And
10 since then, we've had an attorney general zealously
11 pursuing election fraud that he can't find, except for
12 the occasional accidental voter.

13 And now Donald Trump is again asking this
14 legislature in this chamber specifically to do
15 something that you know is not right. You know that
16 there was no mass voter fraud in 2020 that explains
17 his loss. He simply lost. And now he has won.

18 There's nothing nefarious or mysterious
19 about it. He lost in 2020, and he won in 2024. And
20 now we're going to again entertain the bizarro world
21 of Donald Trump, where he wants you, you all, to
22 perpetuate, to corroborate a lie in order to change
23 rules for him, not for the people of the State of
24 Texas, not for you, not even for your congressional
25 district, that you, your congressional colleagues who

1 share the same party.

2 You've been looking at the same news feeds
3 that we all have. Why are we continuing to do the
4 bidding of this man who insists on changing the rules
5 when he doesn't get his way, and even when he does?

6 Is that a democracy? That's not a
7 democracy. And when we speak of the horrors of
8 communism, I want you to remember that when a leader
9 insists on you lying for him in order to maintain his
10 power, not to enhance yours, in order to maintain his
11 power by disenfranchising Texans, we are not any
12 longer engaged in a democracy.

13 We are engaged in protecting a monarch, an
14 authoritarian. And that is a dangerous place that I
15 don't think any of us want to be. And so I would ask,
16 at least if we go down this road of examining our
17 maps, that we reject his call. We reject this
18 fabricated Department of Justice letter that asserts
19 illegality when the very case law it cites doesn't say
20 that.

21 Do not perpetuate this lie. Do not
22 perpetuate this demand of a man who wants power at
23 your expense.

24 LIEUTENANT GOVERNOR PATRICK: Chair
25 recognizes Senator King to close.

1 SENATOR KING: Thank you, Mr. President.

2 Redistricting is the most political process
3 we undertake as legislators. I think it's interesting
4 today that we've heard defense of the map, the
5 existing congressional map, but at the same time, all
6 the plaintiffs' pleadings in the current litigation
7 have all argued that the maps, the congressional map
8 is illegal.

9 Yet today, what we've heard is, no, these
10 maps -- this map is legal. Bit of a bizarre
11 contradiction, but that's again, this is a political
12 process.

13 This has been placed on the governor by the
14 call. He received a direct letter from the DOJ making
15 certain assertions presumably that led him to the
16 conclusion that it should be put on the call.

17 All we're doing here today is trying to take
18 up that responsibility that we're constitutionally
19 given. And to do so, we just have to pass this
20 resolution, adopt this resolution, and it simply puts
21 in place the very same process that we used, without
22 objection, in 2021, 31-0 vote. No objections during
23 the process.

24 The same process that we used in 2023, 31-0
25 vote. And again, as the process went forward, no

1 complaints about that, no efforts to amend the rules.
2 These worked fine. Nothing's perfect. But the best
3 predictor of future performance is past performance.

4 These rules worked really well. Nobody's
5 ever challenged their legality that I'm aware of. And
6 again, they had a unanimous vote in two different
7 sessions. So I would suggest to you that they're very
8 good in their draft.

9 Beyond that, I do want to just thank
10 everyone. Iron always sharpens iron. I appreciate
11 everyone's hard questions. I appreciate everyone's
12 professional courtesy. Wouldn't have minded a break
13 about halfway through, but that's okay.

14 But with that, I just want to say this is
15 the first day. I will do my very best to be
16 exceptionally open to make sure that everything is
17 transparent and make sure we be as fair and accessible
18 as possible.

19 Put everything out there into the public
20 view and certainly your view, first and foremost, that
21 can be put out there, everything that is available.
22 If I've got it, you'll have it.

23 My hope is to announce the committee, put
24 out the committee notice in the morning, which would
25 be, for anyone who's listening, the first hearing

1 beginning Friday.

2 And with that, I just would move for
3 adoption of SR 5. Thank you.

4 LIEUTENANT GOVERNOR PATRICK: Senator King
5 moves adoption of the resolution. Secretary will call
6 the roll.

7 THE CLERK: Alvarado, Bettencourt, Birdwell,
8 Blanco, Campbell, Cook, Creighton, Eckhardt.

9 LIEUTENANT GOVERNOR PATRICK: Nineteen ayes,
10 11 nays. The resolution is adopted.

11 The following bills and resolutions on first
12 reading in reference to committee.

13 Secretary will read the bills and
14 resolutions.

15 THE CLERK: Senate Bill 5 by Perry, relating
16 to the regulation of certain products derived from
17 hemp, including consumable hemp products and the hemp-
18 derived cannabinoids contained in those products. To
19 State Affairs.

20 Senate Bill 11 by Hughes, relating to the
21 authority of the attorney general to prosecute
22 criminal offenses prescribed by the election laws of
23 this state. To State Affairs.

24 Senate Bill 12 by Middleton, et al, relating
25 to the use by a political subdivision of public funds

1 for lobbying activities. To State Affairs.

2 Senate Bill 25 by Eckhardt, relating to
3 emergency warning systems operated by municipalities
4 and counties. To the Select Committee on Disaster
5 Preparedness and Flooding.

6 Senate Bill 26 by Alvarado, relating to a
7 disaster recovery loan program for small and micro
8 businesses. To the Select Committee on Disaster
9 Preparedness and Flooding.

10 Senate Bill 28 by Zaffirini, relating to the
11 internet posting of localized health and safety alerts
12 by municipality or county. To the Select Committee on
13 Disaster Preparedness and Flooding.

14 Senate Bill 35 by Zaffirini, relating to
15 flood safety requirements for youth camps located near
16 rivers, creeks, and streams. To the Select Committee
17 on Disaster Preparedness and Flooding.

18 LIEUTENANT GOVERNOR PATRICK: The following
19 motion in writing. The secretary will read the
20 motion.

21 THE CLERK: Motion in writing.
22 Mr. President, I move to suspend Senate Rules 11.10,
23 11.18, and 11.19 to permit the State Affairs Committee
24 to meet and consider the following bills in the Senate
25 chamber at nine o'clock a.m. tomorrow, July 22nd,

1 notwithstanding any request for advance written notice
2 pursuant to Senate Rule 11.19.

3 Senate Bill 5 by Perry, relating to the
4 regulation of certain products derived from hemp.

5 Senate Bill 11 by Hughes, relating to the
6 authority of the attorney general to prosecute
7 criminal offenses.

8 Senate Bill 12 by Middleton, relating to the
9 use by political subdivision of public funds for
10 lobbying activities.

11 Motion by Senator Hughes --

12 LIEUTENANT GOVERNOR PATRICK: Members,
13 you've heard the motion to suspend the rules.
14 Secretary will call the roll.

15 THE CLERK: Alvarado, Bettencourt, Birdwell,
16 Blanco, Campbell, Cook, Creighton, Eckhardt, Flores,
17 Gutierrez, Hagenbuch, Hall, Hinojosa of Nueces,
18 Hinojosa of Hidalgo, Huffman, Hughes, Johnson, King,
19 Kolkhorst, Menendez, Middleton, Miles, Nichols,
20 Parker, Paxton, Perry, Schwertner, Sparks, West, and
21 Zaffirini, Gutierrez, Huffman, Menendez.

22 LIEUTENANT GOVERNOR PATRICK: There being 19
23 ayes, 11 nays, the motion is adopted.

24 Chair recognizes Senator Alvarado for a
25 motion.

1 SENATOR ALVARADO: Thank you, Mr. President.

2 I'd like to request that all of the comments
3 on SR 5 be reduced to writing and placed in the
4 Journal. Thank you.

5 LIEUTENANT GOVERNOR PATRICK: Is there any
6 objection? Hearing none, the motion is granted.

7 Chair announces the appointment of the
8 following committee.

9 THE CLERK: Special Committee on
10 Congressional Redistricting. Chair, Senator King.
11 Vice Chair, Senator Creighton. Members, Senators
12 Alvarado, Hinojosa of Hidalgo, Hughes, Miles, Parker,
13 Paxton, and Sparks.

14 LIEUTENANT GOVERNOR PATRICK: If I can have
15 everyone's attention, please. If I can have your
16 attention, please.

17 Before we recess for the day, I'd like to
18 have a moment of silence if you can bear with me.
19 It's summertime. It's a time when families are out
20 about in Texas and vacationing.

21 It's time when we celebrate the Fourth of
22 July. And in our Texas, on the Fourth of July this
23 summer while kids were camping, while families were
24 along the river, while they were anticipating the
25 fireworks of the night, hot dogs, family, good times,

1 disaster struck us.

2 While they slept in their beds, in their
3 campers, in their tents in that anticipation of a
4 great day in the middle of the night, floodwaters
5 descended upon us, all of Central Texas, and the Hill
6 Country, and especially in Kerr County with
7 devastating effects such as we have never seen in 500
8 years.

9 Within 45 minutes, 27 feet of water had
10 risen in the Guadalupe and charged down the Upper
11 Guadalupe River Valley taking countless lives --
12 hundreds. It's a disaster that struck our people.
13 It's a disaster that struck our state.

14 And it was a disaster that struck our
15 nation. It caught our most vulnerable in their beds.
16 Many lives were lost across the Hill Country. And
17 will you join me for a moment of silence for the souls
18 of those who lost their lives that fateful day across
19 the Hill Country for the parents, families, and the
20 lost. And let's pray for the lost so that they can be
21 found. Please join me. Thank you, Members.

22 Chair recognizes the Dean of the Senate for
23 a motion.

24 SENATOR ZAFFIRINI: Thank you,
25 Mr. President.

1 Mr. President and Members, I move that the
2 Senate recess until 9:30 a.m., Thursday, July 24th,
3 pending the reading and referral of bills.

4 LIEUTENANT GOVERNOR PATRICK: Is there
5 objection? Chair hears none. The Senate stands in
6 recess until 9:30 a.m., Thursday, July the 24th,
7 pending the reading and referral of bills.

8 (Adjourned.)
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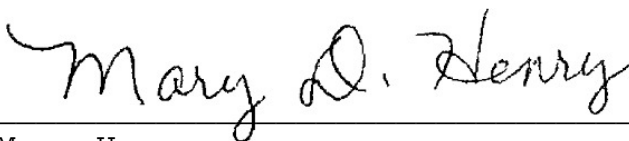
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Please take note that I was not personally present for said recording and, therefore, due to the quality of the audio provided, inaudibles may have created inaccuracies in the transcript of said recording

I further certify that I am neither counsel for, related so, not employed by any of the taking parties to the action in which this deposition was taken, and further that I am not financially or otherwise interested in the outcome of the action.

SUBSCRIBED AND SWORN TO under my hand and of office on this 15th day of September, 2025.



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