

**STATE OF HAWAI'I**  
OFFICE OF HAWAIIAN AFFAIRS  
560 N. NIMITZ HIGHWAY, SUITE 200  
(VIRTUAL MEETING - VIA ZOOM WEBINAR)

COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT  
MINUTES

September 15, 2021 1:30 p.m.

ATTENDANCE:

Chairperson Kaleihikina Akaka  
Trustee Leina'ala Ahu Isa  
Trustee Dan Ahuna  
Trustee Luana Alapa  
Trustee Brendon Kalei'aina Lee  
Trustee C. Hulu Lindsey  
Trustee Keola Lindsey

BAE STAFF:

Brandon Mitsuda  
Mark Watanabe

ADMINISTRATION STAFF:

Hussey, Sylvia, Ka Pouhana / CEO  
Brown, Casey / COO  
Hinck, Ramona / CFO  
Christiane Cardoza / Interim WDCB Manager  
Aikū'e Kalima / NHRLF Manager  
Gushiken, Raina, Senior Legal Counsel  
Ohta, Everett, Assistant Legal Counsel  
Chak, Kevin, IT

EXCUSED:

Trustee Keli'i Akina  
Trustee John Waihe'e, IV

I. CALL TO ORDER

Chair **Akaka** calls the Committee on Beneficiary Advocacy and Empowerment meeting for Wednesday, September 15, 2021 to order at **1:30 p.m.**

Chair **Akaka** notes for the record that PRESENT are:

MEMBERS			AT CALL TO ORDER (1:30 p.m.)	TIME ARRIVED
CHAIR	KALEIHIKINA	AKAKA	PRESENT	
VICE-CHAIR	KEOLA	LINDSEY	PRESENT	
TRUSTEE	LEINA'ALA	AHU ISA	PRESENT	
TRUSTEE	DAN	AHUNA	PRESENT	
TRUSTEE	KELI'I	AKINA	EXCUSED	1:35 p.m.
TRUSTEE	LUANA	ALAPA	PRESENT	
TRUSTEE	BRENDON KALEI'AINA	LEE	PRESENT	
TRUSTEE	CARMEN HULU	LINDSEY	PRESENT	
TRUSTEE	JOHN	WAIHE'E, IV	EXCUSED	1:37 p.m.

At the Call to Order, **SEVEN(7)** Trustees are PRESENT, thereby constituting a quorum.

II. PUBLIC TESTIMONY on Items Listed on the Agenda\*

None

III. APPROVAL OF MINUTES

- A. August 4, 2021
- B. August 18, 2021

**Board Chair Hulu Lindsey:** I'd like to make a motion that we approve the minutes of August 4 and August 18.

**Chair Akaka:** Is there a second?

**Trustee Ahuna:** Second

**Chair Akaka:** Mahalo, it's been moved and seconded. Can I please have a **roll call vote** Brandon.

							1:35 p.m.
<b>TRUSTEE</b>		<b>1</b>	<b>2</b>	<b>'AE (YES)</b>	<b>A'OLE (NO)</b>	<b>KANALUA (ABSTAIN)</b>	<b>EXCUSED</b>
LEINA'ALA	<b>AHU ISA</b>			<b>X</b>			
DAN	<b>AHUNA</b>		<b>2</b>	<b>X</b>			
KELI'I	<b>AKINA</b>			<b>X</b>			
LUANA	<b>ALAPA</b>			<b>X</b>			
BRENDON KALEI'ĀINA	<b>LEE</b>			<b>X</b>			
CARMEN HULU	<b>LINDSEY</b>	<b>1</b>		<b>X</b>			
<i>VICE CHAIR</i> KEOLA	<b>LINDSEY</b>			<b>X</b>			
JOHN	<b>WAIHE`E, IV</b>						<b>EXCUSED</b>
<i>CHAIR</i> KALEIHIKINA	<b>AKAKA</b>			<b>X</b>			
<b>TOTAL VOTE COUNT</b>				<b>8</b>	<b>0</b>	<b>0</b>	<b>1</b>

**MOTION:** [ ] UNANIMOUS [  ] PASSED [ ] DEFERRED [ ] FAILED

IV. UNFINISHED BUSINESS

NONE

V. NEW BUSINESS

- A. Action Item BAE #21-04: To Approve the First Term Native Hawaiian Revolving Loan Fund Board of Directors, Maui Island (Wayne Wong) and Hawai'i Island (Kristin Kahaloa) Nominations

**Chair Akaka** yields the floor to Ka Pouhana Sylvia Hussey.

**Ka Pouhana Hussey:** Thank you, Chair Akaka. Trustees, this is an action item that has been approved by the Native Hawaiian Revolving Loan Fund Directors in process. You have seen this action before. Once it is done it will go on to the Administration for Native Americans for their approval as well because it's a federal program. We do have here our Native Hawaiian Revolving Loan Fund Aikū'ē Kalima who can speak or answer any of the questions. So I'll yield the floor to the Trustees, Chair Akaka for any questions regarding the action.

**Chair Akaka:** Any questions Trustees?

**Board Chair Hulu Lindsey:** If there is no questions you can post the motion.

**Chair Akaka:** Alright then may I please have a motion to approve Action Item BAE #21-04: To Approve the First Term Native Hawaiian Revolving Loan Fund Board of Directors.

**Board Chair Hulu Lindsey:** Madam Chair, I move to approve the First Term Native Hawaiian Revolving Loan Fund Board of Directors, Maui Island (Wayne Wong) and Hawai'i Island (Kristin Kahaloa) Nominations

**Trustee Ahuna:** Second

**Chair Akaka:** Mahalo, it's been moved and seconded, can I please have a roll call vote.

							1:38 p.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA			X			
DAN	AHUNA		2	X			
KELI'I	AKINA			X			
LUANA	ALAPA			X			
BRENDON KALEI'ĀINA	LEE			X			
CARMEN HULU	LINDSEY	1		X			
VICE CHAIR KEOLA	LINDSEY			X			
JOHN	WAIHE`E, IV			X			
CHAIR KALEIHIKINA	AKAKA			X			
<b>TOTAL VOTE COUNT</b>				<b>9</b>	<b>0</b>	<b>0</b>	<b>0</b>

**MOTION:** [ X ] UNANIMOUS [ ] PASSED [ ] DEFERRED [ ] FAILED

## **B. OHA Federal Legislative Positioning – Matrix† - Advocacy (Washington, D.C. Bureau)**

**Chair Akaka** yields the floor to Ka Pouhana Sylvia Hussey.

**Ka Pouhana Hussey:** Thank you, Chair Akaka. Trustees, we have on with us our interim Washington DC Bureau Chief Christie Cardoza. As you know, Keone Nakoa left OHA but has been a Biden appointment in the Department of Interior. He and Summer Silva, former Executive Director at the Native Hawaiian Legal Corporation were Biden appointments so a major celebration for our Native Hawaiian leadership in federal leadership as well. So we're pleased with those appointments. Christie is the interim. She has been there as a Federal Policy Advocate, and so she will be able to walk the Trustees through the Federal Matrix. It's in a format that's very similar to our State Matrix that you're very familiar with. The last time the Trustees saw the Federal Matrix was in April of this year. As you can imagine, things don't stop in Washington, and so Christie will be able to bring the Trustees up and then of course any questions for her, so Christie go ahead.

**Interim WDCB Manager Christiane Cardoza:** Hi everyone, so just to provide you with an update on what has moved since the last time you've heard about the matrix. Two bills have moved. First of all we have S325 passed the House on August 23rd, 2021. S325 extends the Alyce Spotted Bear and Walter Soboleff Commission on Native American Children Act by two years, and so that Act studies federal, state, local, and tribal programs affecting American Indians, Alaska Natives and Native Hawaiians. So the bill will head to the President's desk in conjunction with that bill its companion measure HR438 also passed out of the House Committee on Natural Resources. But since the Senate version has made it to the President's desk that's (INAUDIBLE).

And second, the Senate Committee on Indian Affairs marked up S989, the Native American Language Resource Center Act of 2021. It was voted out of the committee with an amendment. The amendment adjusts the language used to describe the purpose of the Resource Center and provides a broad but still defined list of authorized activities. The intent remains the same and funding is authorized at the same level, and so it continues to receive support from Native American language advocates.

And moving on to two new bills that are now on the matrix. We have HR1731 which is the Biliteracy Education Seal and Teaching Act. The Board supported this bill's companion measure already earlier in the year. It creates a grant program to support states in implementing the Seal of Biliteracy Program, and it encourages students to have proficiency in speaking, reading and writing in English in a second language and Hawai'i actually has its own program already in place in Native American languages, including Native Hawaiian. They're considered qualifying languages.

And then moving on to the next group of bills we have S1512 and HR2903. They're companion measures. It's like creating opportunities now for necessary and effective care technologies for Health Act of 2021, Connect for Health Act. This bill increases telehealth access by removing restrictions for Native Hawaiian health centers for medicare recipients. It makes the removal restrictions permanent, and it was first introduced in 2016 and continues to gain additional bipartisan support and the Board supported this bill last Congress. Are there any questions regarding these bills?

**Ka Pouhana Hussey:** Chair Akaka if there's no questions Christie can provide an update before any Board action on the Matrix, or however you would like to proceed.

**Chair Akaka:** Yes, that would be great.

**Interim WDCB Manager Christiane Cardoza:** I'll continue with the federal updates. So two big things that we're watching in the federal funding arena are the appropriations that will need to be passed by September 30th to avoid a government shutdown and then also the budget reconciliation package, which there's a lot of press on and it's a very big funding measure which is a several trillion dollars. So for appropriations,

discussions are underway to pass a continuing resolution through December 10th, 2021. The reason for a continuing resolution at this point is that the reconciliation process is such a massive undertaking that there is not a lot of bandwidth to undergo appropriations negotiations, and so they will likely move forward with a continuing resolution and then revisit this issue later in the year.

For the budget reconciliation, Democrats are expected to finish their work this week, and it's expected that a full package is supposed to be completed by the end of the month. However, it's really unclear whether that will actually happen because it's such a big bill and there are a lot of different positions on it and so it may become stalled this month so we'll continue to monitor that very closely.

Another priority that our office has been working on very closely in federal coordination and engagement with the Native Hawaiian community. WDCB, we continue to work on formalizing a process for the Native Hawaiian community to engage with the federal government, and so two bills have been introduced by the Chairman of the House Natural Resources Committee for tribal consultation and for urban Indian organizations to engage in a formal consultation process. Unfortunately, there's no mention of Native Hawaiians in these bills, and we have also been working closely with the delegation to try to address this issue. At the beginning of the year our office was very active in writing letters to the Administration to ensure that Hawaiians were considered when creating their own consultation policies, and so we will continue to work on that and monitor and hopefully see some successes in inclusion moving forward.

In terms of cultural preservation, work that we've been doing. In the 116th Congress, we saw that Senator Warren introduced a bill called the Truth and Healing Commission on Indian Boarding School Policies Act and that bill introduced a study that would order a study that looks at the impacts and the ongoing affects of policies of boarding schools on Native American children. And so in June 2021 this year, the Secretary of Interior Deb Haaland announced that a Federal Indian Boarding School Initiative would be underway, and that included a comprehensive review of boarding schools and assimilation policies and their impacts on Native American communities and that actually included Native Hawaiian communities. So we're working to ensure that Native Hawaiians are included in future legislative packages, so that the impacts of assimilation are studied on Native Hawaiian communities.

I'm moving onto NAGPRA. OHA is working on comments that are due September 30, 2021. It responds to the National Park Service's draft proposal of revised NAGPRA regulations and so we're continuing to work on that and staying engaged in that process.

And finally, for the Violence Against Women Act. In March 17, 2021, the House passed HR1621, which is the VAWA Reauthorization Act of 2021, and Representative Kahele and Case were both very active in ensuring that Native Hawaiian provisions were included. We continue to await a Senate version and we're just in a holding pattern now. We'll likely see movement after the reconciliation has passed. And that's all for me, please let me know if you have any questions, thank you.

**Chair Akaka:** Mahalo and welcome Christie, we're so happy to have you join us at our BAE Committee Meeting and mahalo nui for all your work prior, now and going forward in including our Native Hawaiian people in the conversation. Are there any questions members?

**Trustee Ahu Isa:** I just wanted to comment and ask Christie, is that your father, Judge Cardoza?

**Interim WDCB Manager Christiane Cardoza:** Yes, that's my father

**Trustee Ahu Isa:** Congratulations, I heard about him. You honored him in Maui. Just wanted to say congratulations to your dad and family, mahalo, Chair.

**Chair Akaka:** Any other questions or comments members?

**Board Chair Hulu Lindsey:** Madam Chair, I just want to thank Christie and you know Christie just got married and shes back and I know that you're trying to catch up in Keone's absence. So we thank you Christie for being so aggressive and getting back into the mode and thank you for all of this report that we're receiving. It's critical that our Trustees know what's going on up there so mahalo.

**Chair Akaka:** Any other questions or comments members?

**Trustee Lee:** Christie, this isn't about the legislative package, it's about another issue. Has there been anything on the federal level about the Japan government's intention of releasing the contaminated water from the Fukushima plant into the Pacific Ocean?

**Interim WDCB Manager Christiane Cardoza:** I have seen reports on that but I haven't been following it from the perspective of federal policies, so I'm happy to look more into that and report back.

**Trustee Lee:** Yes, although this is probably going to affect Hawai'i, so they're saying now that they're planning, they already began construction of a cement tunnel under water and they're saying that by 2023 they're going to be releasing the contaminated water at a depth of 40 feet offshore of Fukushima. But the reason I asked about the federal level is because this is going to affect the West Coast as well, right. As we know about all of the debris that washed up from Washington all the way down through California from the tsunami. So I just wanted to know if anything had popped up on the federal level about this, thanks Christie.

**Chair Akaka:** Mahalo, Trustee Lee. Any other questions or comments members? Alright seeing none may I please have a motion to approve our Office of Hawaiian Affairs Federal Legislative Positioning Matrix.

**Board Chair Hulu Lindsey:** Madam Chair, I move that we **approve Administration's recommendations on: OHA FED 14 through OHA FED 16 all as SUPPORT; on the OHA Federal Priorities for the 117th Congress – Federal Legislative Matrix.**

**Trustee Ahuna:** Second

**Chair Akaka:** Mahalo, it has been moved and seconded, can we please have a **roll call vote** Brandon.

							1:51 p.m.
<b>TRUSTEE</b>		<b>1</b>	<b>2</b>	<b>'AE (YES)</b>	<b>A'OLE (NO)</b>	<b>KANALUA (ABSTAIN)</b>	<b>EXCUSED</b>
LEINA'ALA	<b>AHU ISA</b>			<b>X</b>			
DAN	<b>AHUNA</b>		<b>2</b>	<b>X</b>			
KELI'I	<b>AKINA</b>			<b>X</b>			
LUANA	<b>ALAPA</b>			<b>X</b>			
BRENDON KALEI'AINA	<b>LEE</b>			<b>X</b>			
CARMEN HULU	<b>LINDSEY</b>	<b>1</b>		<b>X</b>			
<i>VICE CHAIR</i> KEOLA	<b>LINDSEY</b>			<b>X</b>			
JOHN	<b>WAIHE`E, IV</b>			<b>X</b>			
<i>CHAIR</i> KALEIHIKINA	<b>AKAKA</b>			<b>X</b>			

<b>TOTAL VOTE COUNT</b>			<b>9</b>	<b>0</b>	<b>0</b>	<b>0</b>
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**MOTION:** [  ] **UNANIMOUS** [  ] **PASSED** [  ] **DEFERRED** [  ] **FAILED**

VI. ANNOUNCEMENTS

**Board Chair Hulu Lindsey:** Just a reminder, 10:00 tomorrow morning Board Meeting and this evening 6:30 Hawai'i island Trustee Lindsey.

VII. ADJOURNMENT

**Chair Akaka:** Can I please get a motion to adjourn this meeting.

**Board Chair Hulu Lindsey:** So moved.

**Trustee Ahuna:** Second

**Chair Akaka:** Mahalo, it's been moved and seconded. Can I please have a **roll call vote**.

<b>TRUSTEE</b>		<b>1</b>	<b>2</b>	<b>'AE (YES)</b>	<b>A'OLE (NO)</b>	<b>KANALUA (ABSTAIN)</b>	<b>EXCUSED</b>
LEINA'ALA	<b>AHU ISA</b>			<b>X</b>			
DAN	<b>AHUNA</b>		<b>2</b>	<b>X</b>			
KELI'I	<b>AKINA</b>			<b>X</b>			
LUANA	<b>ALAPA</b>			<b>X</b>			
BRENDON KALEI'ĀINA	<b>LEE</b>			<b>X</b>			
CARMEN HULU	<b>LINDSEY</b>	<b>1</b>		<b>X</b>			
<i>VICE CHAIR</i> KEOLA	<b>LINDSEY</b>			<b>X</b>			
JOHN	<b>WAIHE`E, IV</b>			<b>X</b>			
<i>CHAIR</i> KALEIHIKINA	<b>AKAKA</b>			<b>X</b>			
<b>TOTAL VOTE COUNT</b>				<b>9</b>	<b>0</b>	<b>0</b>	<b>0</b>

1:53 p.m.

**MOTION:** [  ] **UNANIMOUS** [  ] **PASSED** [  ] **DEFERRED** [  ] **FAILED**

**Chair Akaka:** The meeting is now adjourned, mahalo members, all in attendance, and to all live streaming. A hui hou kākou, mālama pono.

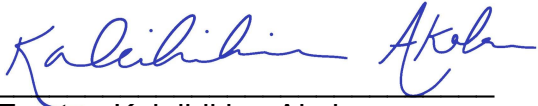
**Chair Akaka** adjourns the BAE meeting at **1:53 p.m.**

Respectfully submitted,



Brandon Mitsuda Trustee Aide  
Committee on Beneficiary Advocacy and Empowerment

As approved by the Committee on Beneficiary Advocacy and Empowerment (BAE) on 10/13/21.



Trustee Kaleihikina Akaka  
Chair  
Committee on Beneficiary Advocacy and Empowerment