

**STATE OF HAWAI'I  
OFFICE OF HAWAIIAN AFFAIRS  
560 N. NIMITZ HIGHWAY, SUITE 200**

**COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT  
MINUTES**

**February 20, 2019 10:00 a.m.**

**ATTENDANCE:**

Chairperson John Waihe'e, IV  
Vice-Chairperson Kaleihikina Akaka  
Trustee Leina'ala Ahu Isa  
Trustee Dan Ahuna  
Trustee Keli'i Akina  
Trustee Brendon Kalei'aina Lee  
Trustee Robert Lindsey  
Trustee Colette Machado

**ADMINISTRATION STAFF:**

Kamana'opono Crabbe, Ka Pouhana  
Sylvia Hussey, Ka Pou Nui  
Davis Price, CO  
Geanine Gomes, CE  
Jocelyn Doane, PP  
Lauren Morawski, COMP  
Monica Morris, PP  
Sterling Wong, PUBL  
Wayne Tanaka, PP

**EXCUSED:**

Trustee C. Hulu Lindsey

**BOT STAFF:**

Crayn Akina  
Kama Hopkins  
Lehua Itokazu  
Lei-Ann Durant  
Löpaka Baptiste  
Melissa Wennihan  
Paul Harleman  
Zuri Aki

**I. CALL TO ORDER**

**Chair Waihe'e** calls the Committee on Beneficiary Advocacy and Empowerment meeting for Wednesday, February 20, 2019 to order at **10:00 a.m.**

**Chair Waihe'e** notes for the record that **PRESENT** are:

MEMBERS			AT CALL TO ORDER (10:00 a.m.)	TIME ARRIVED
CHAIR	JOHN	WAIHE'E, IV	PRESENT	
VICE-CHAIR	KALEIHIKINA	AKAKA	PRESENT	
TRUSTEE	LEI	AHU ISA	PRESENT	
TRUSTEE	DAN	AHUNA	PRESENT	
TRUSTEE	KELI'I	AKINA	PRESENT	
TRUSTEE	BRENDON KALEI'AINA	LEE	PRESENT	
TRUSTEE	ROBERT	LINDSEY	PRESENT	
TRUSTEE	COLETTE	MACHADO	PRESENT	

At the Call to Order, **EIGHT (8) Trustees** are **PRESENT**, thereby constituting a quorum.

**EXCUSED from the BAE Meeting are:**

MEMBERS			COMMENT
TRUSTEE	CARMEN HULU	LINDSEY	MEMO – REQUESTING TO BE EXCUSED

*Chair Waihe'e would like the record to show that some materials were received more recently than 72 hours ago, and that deadline per practice has been duly waived.*

**II. PUBLIC TESTIMONY**

None

**III. APPROVAL OF MINUTES**

Trustee Akaka moves to approve the minutes of January 30, 2019.

Trustee Ahuna seconds the motion.

Chair Waihe'e asks if there is any discussion. There is none.

Chair Waihe'e calls for a **ROLL CALL VOTE**.

						10:01 a.m.	
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEI	AHU ISA			X			
DAN	AHUNA		2	X			
VICE-CHAIR KALEI	AKAKA	1		X			
KELI'I	AKINA			X			
BRENDON KALEI'ĀINA	LEE			X			
CARMEN HULU	LINDSEY						EXCUSED
ROBERT	LINDSEY			X			
COLETTE	MACHADO			X			
CHAIR JOHN	WAIHE'E			X			
<b>TOTAL VOTE COUNT</b>				<b>8</b>	<b>0</b>	<b>0</b>	<b>1</b>

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

#### IV. UNFINISHED BUSINESS

##### **A. 2019 OHA Legislative Package Updates – Matrix 1\*\*\*†**

**Chair Waihe'e** turns it over to Ka Pou Nui Sylvia Hussey.

**Pou Nui Hussey:** Good Morning Trustees. I will turn it over to our dynamic duo; Jocelyn and Wayne.

**Public Policy Manager Doane:** Good Morning; I'll quickly go over the legislative calendar. Today is the 20<sup>th</sup> and what that means is that we have a just a little over a week until the first decking which means that all bills that still haven't been heard by their final committee, need to be heard and moved out of that committee by the 28<sup>th</sup>. That means a whole bunch of bills will be dying and your matrix will be substantially smaller.

Looking at our package, I want to go over our Budget bill first. The House version has already moved out of Water and Land and needs to be heard by FIN by the end of next week. The House has made some edits. In addition to blanking out the amounts which is kind of common in the subject matter committees, it requires that of the trust funds that are appropriated in the part two of the bill, which is basically the table, that a blank amount should be expended for cost of an auditor to conduct a financial and management audit of OHA.

As a reminder the legislature cannot tell OHA how to spend its trust funds, the trustees have the exclusive authority to determine how it spends its trust funds so even if this language is in there and it moves, the Board has the discretion to determine what to do about that. We would be bound to spend matching trust funds in order to receive general funds. So, if you look at the bill, what it does is it requests for programmatic funding (legal services, social services, education, improvement programs and housing improvement programs) and in those provisos it specifically states that the legislature will only make general funds available in those categories, if we match. This however is a whole new thing and it doesn't have matching funds, it's attempting to suggest how to spend trust funds. We're not entirely sure what the impetus for this is. Sterling sat in the DM for us and he had specifically heard this mentioned in other Budget Bills, but when I checked, none of the budget bills that passed in that same hearing had any audit language in it. We will have a discussion to see how we should proceed. I also wanted to point out that the language in the bill says **Conduct a financial and management audit** so we had way too much fun this morning learning about what that is, we do an annual financial audit every year, we generally do not do management audits.

**Pou Nui Hussey:** Financial Audits; we have that with our current auditors. Management audit is focused on the efficacy of management to carry out the strategic objectives of an organization. It is not an audit specifically of individuals, but of the management team, as-a-whole, in being able to carry-out the objectives.

There's also a Forensic Audit that has very specific objectives of the forensic pieces. Generally Forensic Audits are triggered when there's a suspicion of improprieties, irregularities and those are conducted under very specific guidelines and standards in the industry. So three different kinds of audits and then there's also agreed upon procedures where you can engage with professional services to do specific agreed upon procedures. We're trying to ensure clarity around Financial, Management, Forensic and the really underlying intent of why this language has been inserted.

**Public Policy Manager Doane:** Again, for our House Budget Bill to move, the Finance Committee will need to move it by the end of next week.

**Trustee Machado:** *Is there a proviso requiring some form of matching in our bill?*

**Public Policy Manager Doane:** Yes, there are four provisos in the bill: Legal Services, Social Services, Housing Improvement, and Education Improvement programs; those require matching. They don't require us to spend our trust funds. What it requires is if we want to access the general funds, we must match the trust funds. There's also trust-fund-matching on matching requirements in the table. We do get about \$1 million in personnel funding every year and we get about \$250 - \$300 thousand in operations funding from general funds every year; and that's also matched by trust funds. In other words, to access the general funds, we must spend the trust funds in the ways that the bill requires. This is a whole new section that is only referring to the expenditure of trust funds. We need to get clarification on what that means.

The next bill is the Senate version of the Budget bill. This one has a hearing in WAM tomorrow, so we'll see if it'll be moved out.

I'm going to skip over the resolutions for now.

The next bill I want to go over are our PLT reporting bills. The House bill as you know is dead. It did not get a hearing in Water and Land although they did move out the House PLT 35-million-dollar bill. That also needs to be heard by FIN by next week, in order to continue to move as a vehicle. The Senate version of the PLT bill also moved out of WAM yesterday.

Next is our Mental Health bill. As I've reported on before, the House version is dead. The Senate bill needs to be heard by next week in order to move.

The Bail Bill is doing quite well; the House version moved out of Judiciary. We do have some concerns about the version that they moved out. Basically, the purpose of our bill is to create a mechanism and tool for the judges to use after the judge has already determined whether bail is appropriate and if the judge already determines if cash bail is appropriate. What the new draft of the bill does is it attempts to not allow unsecured bail for certain violent offenses, but the analysis on whether bail is appropriate at all and, if cash bail is appropriate, has already happened by the time this tool becomes available. So, we're concerned that it's overly complicating the bill and that it's unnecessary. If the bill gets a hearing in Finance, we will be submitting testimony and we're also reaching out to the Judiciary Chair's office to ask for meetings to discuss it further. The Senate version is being heard today in WAM.

That's it for the update on our package.

**Chair Waihe'e:** Members, are there any questions on the package?

***There are no additional questions or concerns from the Committee.***

**Chair Waihe'e:** Hearing none, we'll move on to New Business.

## V. NEW BUSINESS

### A. 2019 OHA Legislative Positioning – Matrix 2\*\*\*†

**Chair Waihe'e** turns it over to Ka Pou Nui Sylvia Hussey.

**Pou Nui Hussey:** I'll turn it over to Jocelyn again.

**Public Policy Manager Doane:** The first bill we want to go over is on Page 1, Item 3 – HB 622; we're recommending a position of MONITOR on this bill. This measure is Related to Charter Schools. The original version of this bill would have required a withholding of Charter School funds, per pupil funds. If any employee is under a Federal Criminal investigation or subject to criminal charges, that has subsequently been removed and we had some concerns about that. We wanted to see what was going to move, before we brought it to the Board. The bill does still require an employee, if under investigation, to report that to the Charter School authorizer, which is currently the Charter School Commission. It also would require the authorizer to set up a purchase order system to pay for the school's expenses. What that would mean is the Charter School would require a Purchase Order (P.O.) to the Authorizer which is the Commission and then the Authorizer would then disburse the money to the vendor.

What's happening now is Charter Schools have their own private bank accounts; whereas the DOE uses a P.O. system and I'm assuming the idea is to create more processes to ensure accountability on spending. We're trying to see how this moves. The Charter School Commission has already testified that they don't have a Purchase Order system set-up, so they would need funding and staffing too, in order to implement these requirements.

**Senior Public Policy Advocate Tanaka:** Page 1, Item 4 – HB1026; we're recommending a position of COMMENT. This measure would allow the Board of Land and Natural Resources to reduce or waive rent for leases of Public Lands for up to 20 years if the lessees agree to demolish existing or decrepit structures that prior lessees had constructed or if they agree to install infrastructure. The reduction of waiver of rent of Public Land Trust lands would reduce potential revenues that Native Hawaiians and OHA has an interest in and so we're concerned about that.

**Public Policy Manager Doane:** Page 3, Item 10 – SB114; Related to Teacher Housing. About 10 percent of Hawaii teachers either switch schools, relocate or leave the teaching profession each year. According to the bill, High Poverty schools have an average of 21 percent inexperienced, unqualified or out-of-field teachers. As we know, the high-cost of living is a factor in teacher recruitment and retention. So, this bill would amend the HHFDC statute to allow them to provide housing vouchers for full-time DOE and Charter School teachers who teach in hard-to-fill schools and if they meet certain income qualifications. It's no more than a \$500 monthly voucher; we think this is a great idea. We know that a lot of high population Native Hawaiian communities have hard-to-fill schools and we don't think they would consider trying to get us to fund the program, since it's not Native Hawaiian specific. We're recommending a position of SUPPORT on this.

**Trustee Ahuna:** *Can somebody from the mainland move to those areas and qualify for the voucher?*

**Public Policy Manager Doane:** Probably, but it will be first-come, first-serve. So once the money is gone and allocated, unless there's a new appropriation, it's not likely that more funds will be available.

**Trustee Lee:** *With the vouchers, would that mean the housing would be in the same district as the school, or not necessarily?*

**Public Policy Manager Doane:** I'm assuming not, because it's a voucher. The next measure is also on Page 3, Item 11 – SB377.

**Senior Public Policy Advocate Tanaka:** We're recommending a position of OPPOSE on this measure. This bill would set up a pilot project where the Board of Regents of UH would identify lands along the rail line that would be transferred to UH and then UH would lease those lands, not subject to Chapter 171 or any other laws to the contrary. Basically 171 could identify other State lands. Lands would get transferred to UH and then they could lease these lands and it would also require all revenues generated from these leases to be deposited in the UH Rural Property and Facilities Use Revolving Fund. We recommend OPPOSE because of our concerns regarding lack of mechanisms of transparency and accountability, as well as potential for long-term leases. We would also urge minimally that if they do move this measure that they consider requiring such mechanisms be applied to UH leases. We'd also urge that language be inserted to recognize the need to account for OHA's pro-rata Public Land Trust share prior to the deposit of revenues into the revolving fund. We'd also request some clarification as to whether this bill really wants UH to unilaterally cherry pick the most valuable lands along the rail line.

Page 6, Item 21 – SB976; this is somewhat similar as it creates a pilot project for the libraries. It would identify public library lands and allow them to lease these lands for up to 99 years to generate funds for the libraries. It's interesting because the libraries themselves don't actually own their lands. They're often either set aside by the Governor or they belong to other agencies or the Counties even. The leases that this would authorize the DOE to execute on behalf of the libraries would also not be subject to the various mechanisms that we care about in terms of accountability and transparency. We would OPPOSE and submit testimony regarding the 99-year lease provisions and urge the committee to minimally consider requiring substitute mechanisms with regards to: lease terms, appraisals, competitive bidding, and so forth.

### ***Moving into Bill Position Changes***

Page 9, Item 34 – HB1032 and its companion Item 36 SB1258; we recommend changing from Comment to MONITOR. This bill would clarify that the DLNR can lease out State boating facilities in addition to what they can currently do. Initially we wanted to comment to request clarification on the scopes of these leases, but after taking a closer look, this measure doesn't really provide for any exemptions.

Page 9, Item 35 – HB1209; we originally recommended a position of Oppose because this measure would have reduced the role of the Land Use Commission in district boundary amendments to the extent that those amendments were consistent with County General Plans. As we discussed last week the Land Use Commission process is often the only opportunity for Native Hawaiian practitioners to assert their rights and then actually have conditions imposed in Land Use decision-making that protect those rights and their underlying resources. This was amended to no longer affect the LUC process, so we now our recommending to change our position to MONITOR.

**Public Policy Manager Doane:** Page 10, Item 37 – SB379; the land exchange bill. There's some disagreement on if the bill just allows the Governor to come up with recommendations to negotiate land exchanges on the rail. So, the idea is that the State would trade lands with private landowners in order to acquire agricultural lands and then give the private landowners land for housing along the rail. We had a couple of concerns, we've still been trying to figure out exactly how it would work and we were concerned that there may still be non-urban lands on the rail line. After further review we're recommending a position change from Comment to MONITOR because most of our concerns have been addressed.

**Senior Public Policy Advocate Tanaka:** Page 10, Item 38 – SB685; we're recommending changing from Monitor to COMMENT. This is a companion measure to HB265 which we've discussed over the last couple of weeks; the appropriation measure that would have appropriated funds for the eradication of axis deer and several other listed invasive species. Due to the concerns being raised regarding the need to recognize the subsistence value of axis deer, particularly on Moloka'i, and because this Senate version doesn't have the amendments that were made in the House version that do recognize the subsistence value of axis deer, while also calling for the management rather than the eradication; we would recommend commenting to highlight those concerns and suggest that the committees consider inserting similar language to the House version.

Page 10, Item 39 – SB835; this measure would have added the Community liaison to the Hawai'i State Board and Geographic names which is a Board that comes up with the official name of places on the island. It would have also originally removed the statutory recognition of alternate names which is a unique category of names established only in Hawai'i which recognizes that there may be alternate place names to places that are co-equal with their primary names. By removing the alternate name recognition then would have removed this accommodation of our situation here where there is often more than one place that should be afforded equal standing for a particular area. The amended Senate draft of this measure restores recognition of alternate names, so we recommend a position change from Comment to SUPPORT.

**Public Policy Manager Doane:** Page 10, Item 40 – SB874; this is related to the micro-home loan and capacity building grants within DHHL programming. We're recommending changing from Support to COMMENT because the current funding source in the new version identifies the source of the funding to be DHHL's vacancy savings. We want to steer clear of getting involved in the conversation of where the funds should come from, we still support the idea of the program itself.

**Senior Public Policy Advocate Tanaka:** Page 11, Item 41 – SB931; we're recommending a position change from Monitor to COMMENT. This measure has to do with the aquarium collection of marine life. The original draft of this bill would have prohibited all commercial take of marine life for commercial aquarium purposes. We recognize that there have been concerns by some subsistence communities regarding the impact of aquarium collection on their fisheries. The actual impacts to specific subsistence fisheries haven't been totally clear. Currently, 'aquarium collection' in West Hawai'i is prohibited and all aquarium collection using small mesh nets is prohibited everywhere else in the State, pending an environmental assessment by DLNR. So, to the extent that there is 'collection' going on, currently there might be more of an enforcement issue than a policy one.

With that being said, Native Hawaiians do not seem to be very active participants in the industry. The SD1 version of this measure was amended to narrow the prohibition only to commercial aquarium collection using small mesh nets. It also prohibits the possession of any small mesh nets for any reason in a boat or along a shoreline, and so forth. Our comments will acknowledge the concerns that subsistence communities have voiced and to note also that the prohibition on small mesh nets generally may conflict existing regulations that allow for the use of these nets by fishpond operators to collect babies to stock their ponds and may also potentially prohibit the use of scoop nets which are allowed to be small & mesh less than 3 feet.

**Public Policy Manager Doane:** Page 11, Item 42 - SB 1514; this is the Corporate entities by State Agencies bill; it prohibits the formation of corporate entities by State Agencies without legislative approval. We're recommending changing from Comment to OPPOSE. The SD1 that moved explicitly made clear that OHA is a State agency for the purpose of the bill, so they got an AG to testify specifically to point that the previous language was questionable. If it applied to OHA then you would have to amend it, which they did. The Employees' Retirement System made some points about why they should be exempt that could be applicable to OHA. So, after it became crystal clear that one of the purposes of this bill is to try to attempt to inhibit OHA from doing what it currently has the authority to do, and has previously done, our Corporation Counsel recommended we OPPOSE the bill.

That's the last new position, I do want to go over just a few previously approved positions.

Page 117, Item 530 – SB727; this is the OHA omnibus bill. It originally had Public Funding language, term limits, randomized ballots and collective bargaining in it. The term limits portion was deleted so as far as I know, no term limit bills are moving at this current time. I did want to give an update on the Collective Bargaining portion which was significantly amended. Right now the bill appears to empower our staff to try to unionize, as opposed to previously where we were concerned that it would require and automatically place our staff in existing bargaining units. We're not entirely sure if the language does that so, our Corporation Counsel has reached out to our outside counsel to review this for us. We'll have a better sense of what it does next week. In the meantime, I wanted to quickly say that right now the bill says that employees may be subject to Chapter 76 and 89. Chapter 76 is the civil service language which, if applicable, would eliminate the *at-will* concept and would set salary schedules consistent with State salary schedules. We aren't recommending a position change yet, until we get further information from Counsel.

Page 117, Item 532 – SB729; this is the randomized ballot bill, it is moving and as is the randomized ballot for all State elections.

Page 144, Item 650 – SB1295; this is the OHA election bill that would change the composition of the four *At-Large* seats. As a reminder, it would create two urban seats and two rural district seats which would follow the Congressional district designations. It also attempts to limit who the eligible voters are for those seats; consistent with the CD1 and CD2 seats. So, if you live in the urban district you can only vote in the urban district and if you live in the rural district you can only vote in the rural district. It also, which is probably totally unconstitutional, attempts to limit who can vote in the island seats which there have been lots of discussion in our community about this. How it's not fair, but O'ahu gets to vote in the islands of: Kaua'i, Maui and Hawai'i races; we've gone over this a few times before that it's probably unconstitutional. We'll see if this gets a hearing.

Page 151, Item 679 – SB1446; this is related to the hiring to the CFO, HR Manager and Corporation Counsel. The bill did move last week. It appears in §10-5 to require that the Board to approve the hiring of and supervising of the CFO, HR director and Corp. Counsel. Then in §10-12 it specifically gives the Board discretion on if it wants to approve and supervise those same seats. So, this is another bill that we're asking our outside counsel to review, so we will get back to you on that. We are still recommending OPPOSE on this measure.

Those were all the **OHA-named bills**, there are a few more bills that I wanted to give you an update on.

Page 76, Item 336 – HB1326; this is the Water Revocable Permits bill. There has been some media attention and there's a hearing this afternoon; we wanted to update you on that.

**Senior Public Policy Advocate Tanaka:** This bill originally would've extended indefinitely the holdover authority that was granted by HB2501 in 2016. The Senate version hasn't moved but the House version did and has a hearing this afternoon. It was amended to instead of allowing indefinite extension of this holdover authority to divert East Maui streams, it would extend the sunset date by 7 years; so we still OPPOSE this measure. It still requires no accountability to A&B which they've been required to do an EIS for 15 years now. They've only done the preliminary EIS preparation notice two years ago and there's been no other action since then.

**Public Policy Manager Doane:** Page 79, Item 347 – HB1397; this is the residential leasehold bill, we OPPOSE this bill and it has been deferred.

Page 87, Item 385 – SB1; this is the ALOHA homes bill, it had a hearing this morning. We made Comments to the points that we had discussed last week, so we will update you next week to see if any of those got approved.

**Senior Public Policy Advocate Tanaka:** Page 118, Item 536 – SB741; we discussed this House companion earlier where we changed the position from Oppose to MONITOR. This is the bill that would've reduced the Land Use Commission's in District Boundary amendments that are reflected in County General plans. This Senate version has not moved, so it's pretty much dead for this session.

**Public Policy Manager Doane:** Page 145, Item 652 – SB1303; this is the Public Lands DOE bill. It had a hearing last week Friday so we're waiting to look at the draft to see if it's a bill that we still want to Oppose. We had recommended that 99 years was too long.

**Senior Public Policy Advocate Tanaka:** Page 153, Item 687 – SB1468; this was the bill that would provide for Chapter 343 environmental assessment review exemption for certain affordable housing projects. We recommended OPPOSE because the environment review process is a critical means to understand what kinds of impacts may occur with regards to natural and cultural resources. This measure has died.

Page 69, Item 301 – HB1123; we were Opposing this measure. It would require a fishery stock assessment for all species that are affected by any regulation before the regulation can be adopted by the BLNR. It would require an investment of hundreds of thousands of dollars, years or more of research just to promulgate a single fishing regulation. It would really tie the State’s hands in protecting your Public Trust. The bill passed out of the House Water, Land and Hawaiian Affairs Committee – it was amended to require consultation with Native Hawaiian practitioners as an additional requirement. It still however doesn’t address our concerns of tying the State’s hands in managing its Public Trust Resources; we continue to recommend OPPOSE. It has been to House Judiciary which hasn’t scheduled a hearing yet.

That’s it for today.

**Chair Waihe’e:** Thank you. *Are there any other questions for today members?*

*No additional questions or concerns from the BAE Committee*

**Vice-Chair Akaka moves to approve Administration’s recommendations on NEW BILLS (Items 1 - 33) and BILL POSITIONS FOR RECONSIDERATION (Items 34 - 42), on the OHA Legislative Positioning Matrix dated February 20, 2019 as amended.**

Bills that were discussed					
ITEM #	BILL#	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
<b>New Bills</b>					
1	HB3	RELATING TO HAWAIIAN MUSIC AND DANCE.	Redirects the \$1,000,000 of transient accommodations tax revenues currently allocated to operate a Hawaiian center and the museum of Hawaiian music and dance at the Hawaii convention center to have the State of Hawaii Museum of Natural and Cultural History plan, design, and construct such a facility on their property.	MONITOR	
2	HB595	RELATING TO ACQUISITION OF REAL PROPERTY.	Appropriates funds to the Agribusiness Development Corporation for the purchase of a parcel of Molokai Dow DuPont Pioneer Land, tax map key number (2)5-2-11-7.	MONITOR	
3	HB622	RELATING TO PUBLIC CHARTER SCHOOLS.	Requires authorizers to establish a purchase order system to pay charter school expenses. Requires charter schools to be subject to an annual financial audit. Requires authorizers to select the independent auditors that are to perform the audits on charter schools. (HB622 HD1)	MONITOR	
4	HB1026	RELATING TO RENTALS FOR PUBLIC LAND LEASES.	Authorizes the Board of Land and Natural Resources to approve rental reductions or waivers for leases on public lands that require substantial demolition or infrastructure improvement costs in order for the lessee to utilize the premises.	COMMENT	

5	HB1108	RELATING TO TOURISM.	Beginning July 1, 2022, requires persons who use the Na Ala Hele trail system for commercial purposes and applicants for new and renewal commercial use permits in state parks, small boat harbors, and ocean recreation management areas; instructor/operator permits; and common carrier certificates and contract carrier permits covering the transportation of passengers to hold and annually maintain a sustainable tourism certificate from the Hawaii Ecotourism Association, achieve and maintain green business recognition by the Hawaii Green Business Program, and ensure that at least one-third of staff members employed by the applicant who have direct contact with visitors are certified as professional tour guides.	MONITOR	
6	HB1503	RELATING TO AGRICULTURE.	Requires the Department of Agriculture to establish a 2-year Agricultural Theft and Vandalism Pilot Project to examine the effectiveness of prosecuting agricultural theft and agricultural vandalism in the County of Hawaii. Appropriates funds. (HB1503 HD1)	MONITOR	
7	HB1537	RELATING TO THE OFFICE OF MAUNA KEA MANAGEMENT.	Appropriates funds to the University of Hawaii for an unspecified number of FTE positions within the Office of Mauna Kea Management. (HB1537 HD1)	MONITOR	
8	SB5	RELATING TO EMINENT DOMAIN.	Requires the department of land and natural resources to acquire by eminent domain the seawall and the real property underneath the seawall that is located on or near the seaward boundaries of property between 2943 Kalakaua Avenue and 3019 Kalakaua Avenue. Appropriates funds to the department of land and natural resources for the just compensation of taking, and the repair and maintenance of the entire seawall and the real property under the seawall.	MONITOR	
9	SB46	RELATING TO FINANCES AT THE UNIVERSITY OF HAWAII.	Short form bill.	MONITOR	
10	SB114	RELATING TO TEACHER HOUSING.	Establishes the teacher home assistance program to be administered by the Hawaii Housing Finance and Development Corporation to provide housing vouchers to full-time teachers employed by the department of education, including teachers at public charter schools, who teach in a hard-to-fill school, as determined by the department of education, and whose household income does not exceed eighty per cent of the area median income. Appropriates funds.	SUPPORT	
11	SB377	RELATING TO THE UNIVERSITY OF HAWAII.	Establishes a pilot project to generate revenue through the lease of University of Hawaii land for public purposes. Requires that the parcels of land be located within a county-designated transit-oriented zone, a one-half mile radius of public transit stations, or a one-half mile radius of any rail transit extension beyond the rail transit route approved as of January 1, 2017. Authorizes moneys in the University of Hawaii real property and facilities use revolving fund to be used for new construction and upgrade of university facilities. Requires the university to report to the legislature. Appropriates funds.	OPPOSE	
12	SB526	RELATING TO HUMAN SERVICES.	Appropriates funds for the Department of Human Services to purchase, staff, and operate two mobile clinics to serve homeless persons; provided that one of the mobile clinics shall be allocated to the county of Hawaii. Requires matching funds. (SD1)	MONITOR	

13	SB560	RELATING TO ELECTIONS.	Enacts voting by mail uniformly across all counties for all elections commencing in 2022. Establishes a limited number of voter service centers that would remain open from the tenth business day preceding an election through the day of the election to receive personal delivery of mail-in ballots, accommodate voters with special needs, offer same day registration and voting, and provide other election services. Allows for additional places of deposit for personal delivery of mail-in ballots. Appropriates funds for the implementation and administration of the election by mail program. Requires the office of elections to submit a report to the legislature prior to the convening of each regular session from 2020 through 2025, regarding the implementation of a vote by mail system. (SD1)	MONITOR	
14	SB580	RELATING TO TRANSPORTATION.	Specifies that a government agency does not assume ownership or jurisdiction over a disputed road solely through maintenance or repair activities. Authorizes the State to quitclaim ownership of roads in favor of counties.	MONITOR	
15	SB594	RELATING TO EDUCATION.	Establishes and appropriates funds for a school meal subsidy program within the department of education to provide school lunch subsidies to children whose families do not otherwise qualify for free lunch under the free and reduced price lunch program, subject to income eligibility. (SD1)	MONITOR	
16	SB699	RELATING TO THE BERNICE PAUAHI BISHOP MUSEUM.	Beginning with the 2021-2023 fiscal biennium and each fiscal biennium thereafter, requires the governor to include in the executive budget a minimum amount per fiscal year as a recurring cost to be allocated to the State of Hawaii Museum of Natural and Cultural History. Appropriates funds to support the work of the State of Hawaii Museum of Natural and Cultural History. (SD1)	MONITOR	
17	SB755	RELATING TO AGRICULTURE.	Establishes the agricultural housing task force within the office of planning to study existing county and state laws, rules, and processes for construction of employee housing within agricultural districts to identify barriers to construction, make recommendations, and propose one master use application process to be applied throughout the State. Directs the task force to give special consideration to modular housing as a solution and make a legal designation, as it relates to zoning, between homes with a permanent foundation and modular homes without a permanent foundation. Makes an appropriation. (SD1)	COMMENT	
18	SB759	RELATING TO AGRICULTURE.	Requires the Department of Agriculture to establish a 2-year Agricultural Theft and Vandalism Pilot Project to examine the effectiveness of prosecuting agricultural theft and agricultural vandalism in the counties of Hawaii and Maui. Appropriates funds. (SD1)	MONITOR	
19	SB830	RELATING TO PUBLIC ACCESS.	Provides that where public access is required as a condition of a subdivision, either the county must accept dedication of and maintain the access or identify an entity to own and maintain the access. Authorizes the county to require the subdivider to establish a stewardship fund for maintenance purposes.	MONITOR	

20	SB878	RELATING TO HOUSING.	Establishes the qualified nonprofit housing trust program to authorize the Hawaii housing finance and development corporation to provide loans to qualified nonprofit housing trusts and nonprofit community development financial institutions to develop affordable housing units. Makes an appropriation into and out of the qualified nonprofit housing trust revolving fund. Effective 7/1/2050. (SD1)	MONITOR	
21	SB976	RELATING TO PUBLIC LIBRARIES.	Establishes a pilot program to generate revenue through the lease of public library lands to meet the mission of the public libraries. Establishes the library facilities fund. Requires the Board of Education to report to the Legislature. (SD1)	OPPOSE	
22	SB1127	RELATING TO THE FESTIVAL OF PACIFIC ARTS.	Short form bill.	MONITOR	
23	SB1138	RELATING TO THE IOLANI PALACE PARKING LOT.	Transfers jurisdiction and management of the parking lot surrounding Iolani Palace from the department of accounting and general services to the department of land and natural resources. (SD1)	MONITOR	
24	SB1142	MAKING AN APPROPRIATION TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES.	Appropriates funds to the department of land and natural resources for the demolition and removal of structures at Uncle Billy's in Hilo, Hawaii. Takes effect 7/1/2050. (SD1)	MONITOR	
25	SB1252	RELATING TO RENTALS FOR PUBLIC LAND LEASES.	Authorizes the Board of Land and Natural Resources to approve rental reductions or waivers for lease rentals on public lands that require substantial demolition or infrastructure improvement costs in order for the lessee to utilize the premises. Takes effect 12/31/2050. (SD1)	COMMENT	
26	SB1287	RELATING TO STATE PLANNING.	Includes objectives and policies and implementation guidelines for planning for the lei of green in the Hawaii State Planning Act. Takes effect 12/31/2050. (SD1)	MONITOR	
27	SB1346	RELATING TO TRESPASS.	Clarifies that when trespass involves public land, all law enforcement officers shall enforce the trespass laws of Part II of Chapter 708, Hawaii Revised Statutes, without regard to whether the land is owned by the State or by a county.	MONITOR	
28	SB1389	RELATING TO TRANSIT-ORIENTED DEVELOPMENT ZONES.	Authorizes the Hawaii Housing Finance and Development Corporation (HHFDC), at the request of the Hawaii Community Development Authority (HCDA), to establish and operate transit-oriented development infrastructure improvement zone subaccounts within the dwelling unit revolving fund for the benefit of infrastructure improvement projects within a transit-oriented development infrastructure improvement zone. Requires HCDA to develop a transit-oriented development infrastructure improvement zone program to foster infrastructure development by strategically investing in public facilities. Appropriates funds to HCDA for staff necessary to develop and manage the transit-oriented development infrastructure improvement zone program. Effective 7/1/2050. (SD1)	MONITOR	

29	SB1405	RELATING TO ELECTRONIC SMOKING PRODUCTS.	Establishes the offense of unlawful shipment of e-liquid products. Includes e-liquid and electronic smoking devices containing e-liquid within the definition of "tobacco products", as used in the cigarette tax and tobacco tax law. Increases the license fee for persons engaged as a wholesaler or dealer of cigarettes and tobacco products. Increases the retail tobacco permit fee for retailers engaged in the retail sale of cigarettes and tobacco products. Allocates a portion of funds collected from excise taxes on tobacco products to health education and prevention programs about the risks and dangers of the use of electronic smoking devices for youth. Repeals certain provisions of the Hawaii Revised Statutes relating to electronic smoking devices. Effective 1/1/2020. (SD1)	MONITOR	
30	SCR17		REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO PERFORM AN ACTUARIAL STUDY ON THE SIZE OF THE CURRENT AND PROJECTED FUTURE POPULATIONS OF HAWAIIANS ELIGIBLE TO LEASE HAWAIIAN HOME LANDS.	MONITOR	
31	SCR18		URGING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO BUILD ALTERNATIVE HOUSING OPTIONS FOR LESSEES.	MONITOR	
32	SR12		REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO PERFORM AN ACTUARIAL STUDY ON THE SIZE OF THE CURRENT AND PROJECTED FUTURE POPULATIONS OF HAWAIIANS ELIGIBLE TO LEASE HAWAIIAN HOME LANDS.	MONITOR	
33	SR13		URGING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO BUILD ALTERNATIVE HOUSING OPTIONS FOR LESSEES.	MONITOR	
ITEM #	BILL#	REPORT	DESCRIPTION	POSITION	IN BAE MEETING CHANGE
			<b>Bill Positions for Reconsideration</b>		
34	HB1032	RELATING TO STATE BOATING FACILITIES.	Requires the Board of Land and Natural Resources to obtain prior authorization from the Legislature to lease certain boating facilities, fast lands, and submerged lands by public auction, request for proposal, or direct negotiation for private development, management, and operation. (HB1032 HD1)	COMMENT > MONITOR	
35	HB1209	RELATING TO HOUSING.	Requires the Commission to file annual reports on the status of the progress of five-year boundary review. Requires counties to file annual updates to general plans, development plans, or community plans. (HB1209 HD2)	OPPOSE > MONITOR	
36	SB1258	RELATING TO STATE BOATING FACILITIES.	Allows the Board of Land and Natural Resources (Board) to lease any existing state boating facility in its entirety, and fast lands and submerged lands within any existing state boating facility, by public auction, request for proposals, or direct negotiation for private development, management, and operation. Requires the Board to make a finding regarding certain sea level rise factors before awarding any such lease. Clarifies that legislative approval is not required to award a lease, except that the Board may request approval from the Legislature in extraordinary circumstances, by concurrent resolution, where the Board has not made findings regarding sea level rise factors. Repeals fast lands and submerged lands lease requirements specific to Ala Wai Boat Harbor.	COMMENT > MONITOR	
37	SB379	RELATING TO LAND EXCHANGE.	Allows the governor to negotiate land exchanges to acquire lands that are suitable for long-term diversified agricultural production in return for state lands to be developed for housing. Requires a report to the legislature. Takes effect 12/31/2050. (SD1)	COMMENT > MONITOR	

38	SB685	RELATING TO INVASIVE SPECIES.	Appropriates funds to the department of land and natural resources' division of forestry and wildlife, Maui branch, for invasive species technician positions in east Maui to address invasive plants and animals. Appropriates funds to the department of land and natural resources to reduce and eradicate invasive species throughout the county of Maui. (SD1)	MONITOR > COMMENT	
39	SB835	RELATING TO THE STATE BOARD ON GEOGRAPHIC NAMES.	Adds a community liaison to the membership of the state board on geographic names. Requires the department of land and natural resources to publish and send a listing of its decisions, along with other information, to state and other agencies, and provide the same publication, along with pertinent information, to the United States Board on Geographic Names. Takes effect 12/31/2050. (SD1)	COMMENT > SUPPORT	
40	SB874	RELATING TO HOUSING ON HAWAIIAN HOME LANDS.	Authorizes the use of the Hawaiian Home Loan Fund and Hawaiian Home General Loan Fund to assist qualifying lessees purchasing or leasing micro housing units on approved Hawaiian home lands. Makes appropriations from the Department of Hawaiian Home Lands' vacancy savings to the Department of Hawaiian Home Lands for construction of micro housing units, subject to certain conditions, and to build general organizational capacity of native Hawaiian-controlled nonprofit housing developers. (SD1)	SUPPORT > COMMENT	
41	SB931	RELATING TO MARINE AQUARIUM FISHING.	Prohibits any person from possessing a fine-mesh net or fine-mesh trap on their person or within a vessel within state marine waters or on or about the shore where fish can be taken and imposes a \$5,000 fine for violations. Places a two-year moratorium on the commercial capture of aquatic life for aquarium purposes or under a commercial marine license through use of fine-mesh nets or fine-mesh traps.	MONITOR > COMMENT	
42	SB1514	RELATING TO STATE AGENCIES.	Prohibits any state agency, including departments, offices, boards, agencies, authorities, instrumentalities, public corporations, other governmental organizations, and political subdivisions, from creating any corporate entity without the approval of the legislature. Requires any corporate entity created by a state agency to provide a detailed accounting the legislature, attorney general, and auditor upon request. Allows appropriations to a state agency to be withheld if a corporate entity within the state agency fails to provide a timely accounting upon request. Provides an exemption for the employees' retirement system. Effective 7/1/2050. (SD1)	COMMENT > OPPOSE	

**Trustee Ahuna seconds the motion.**

**Chair Waihe'e** asks if there is any discussion. There is none.

**Chair Waihe'e** calls for a **ROLL CALL VOTE**.

TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	10:57 a.m. <b>EXCUSED</b>
LEI	<b>AHU ISA</b>			X			
DAN	<b>AHUNA</b>		2	X			
VICE-CHAIR KALEI	<b>AKAKA</b>	1		X			
KELI'I	<b>AKINA</b>			X			
BRENDON KALEI'ĀINA	<b>LEE</b>			X			
<b>CARMEN HULU</b>	<b>LINDSEY</b>						<b>EXCUSED</b>
ROBERT	<b>LINDSEY</b>			X			
COLETTE	<b>MACHADO</b>			X			
CHAIR JOHN	<b>WAIHE'E</b>			X			
<b>TOTAL VOTE COUNT</b>				<b>8</b>	<b>0</b>	<b>0</b>	<b>1</b>

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

**V. NEW BUSINESS**

**B. OHA Washington D.C. Bureau – Updates**

**Chair Waihe'e:** I'll turn it over to Ka Pou Nui Sylvia Hussey again.

**Pou Nui Hussey:** We're getting our D.C. Bureau Chief Keone Nakoa on the line.

**Washington D.C. Bureau Chief Nakoa (by telephone):** Aloha Trustees.

**Trustee Machado:** *How cold is it over there?*

**Washington DC Bureau Chief Nakoa (by telephone):** It just stopped snowing. I think it's around 32 degrees; now we're getting a mix of rain and snow. All of the Federal Buildings are closed today due to snow closure.

*D.C. Bureau Chief Nakoa continues to go through the PowerPoint as provided below.  
Recorded sound is inaudible at times.  
(Please refer to PowerPoint Slides for information covered).*

Washington D.C. Bureau  
2019 First Quarter Update

WDC Bureau Chief Keone Nakoa  
Presentation to the Committee on Beneficiary Advocacy  
and Empowerment (BAE)  
February 20, 2019



U.S. Commission on Civil Rights  
recommends federal recognition for  
Native Hawaiians

- On December 20, 2018, the U.S. Commission on Civil Rights (USCCR) **released a report** entitled "Broken Promises: Continuing Federal Funding Shortfall for Native Americans".
- This was an **update to a 2006 report** on the status of federal funding in Indian Country.
- The report was **picked up by local press** with Civil Beat and the Star-Advertiser running articles the day the report dropped.
- Commissioners Karen K. Narasaki and Michael Yaki also **wrote a opinion-editorial** that appeared in the Star-Advertiser that morning.



**Column: Broken promises to Native Hawaiians could spur sovereignty**



What the USCCR is and what it is not

Established by Congress in 1957 as an independent, bipartisan agency, the Commission is directed to:

- Investigate complaints** alleging discrimination or a denial of equal protection violations;
- Study and collect** info related to civil rights, serving as a clearinghouse for info and publicly advocate against violations;
- Make appraisals** of Federal laws and policies with respect to civil rights and discriminatory practices; and
- Submit reports, findings, and recommendations** to the President and Congress.

The Commission **is not** intended to serve as a law-making body or to replace the courts with respect to enforcement of civil rights laws.



USCCR's Powers

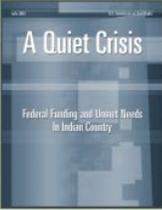
According to the Commission, and pursuant to 42 U.S.C. § 1975a, it has the power to:

- Hold public briefings, issue press releases, make information publicly available** on its website, and **provide a complaint referral service to promote greater public awareness** of civil rights issues, protections and enforcement;
- Conduct hearings** on critically important civil rights issues, including issuing subpoenas for the production of documents and the attendance of witnesses;
- Publish significant studies and reports** on a wide range of the civil rights issues that typically include findings and recommendations to inform and advise policy-makers; and
- Sustain advisory committee involvement** in national program planning to strengthen fact-finding by broadening the scope of the research to include state and local perspectives and data.



USCCR's 2003 Report on Indian Country

- In 2003, the Commission issued a report entitled "A Quiet Crisis: Federal Funding and Unmet Needs in Indian Country."
- The 2003 Report evaluated budgets and spending of federal agencies on Native American programs, but specifically excluded Native Hawaiians from the term "Native American," as used in that report.
- Despite that, the report discussed Native Hawaiian housing, health, and education programs and tracked disbursement of Native Hawaiian grants, but did not comment on federal recognition.
- The Commission recommended that Congress direct more federal resources to Indian Country and that programs be required to regularly assess unmet needs, among other things.




USCCR's 2006 Recommendation to oppose the Native Hawaiian Government Reorganization Act

- In January 2006, the Commission held a briefing on the Native Hawaiian Government Reorganization Act (NHGRA) of 2005, featuring expert testimony.
- On May 4, 2006, the USCCR issued a report on the briefing, which included summaries of testimony and recommendations.
- USCCR recommended against the passage of the NHGRA.



### The Commission's membership changed between 2006 and 2018

- The composition of the Commission has changed significantly since 2006, with new Commission members appointed by President Obama between 2008 and 2016.
- **2006 Commission:** G.W. Bush appointees: Reynolds (R-Chair), Thernstrom (R-Vice), Braceras (R), Kirsanow\* (R), Taylor (R); Congressional appointees: Meledez (D), Yaki\* (D).
- **2018 Commission:** Obama appointees: Lhamon (D-Chair), Timmons-Goodson (I-Vice), Adegbile (D), Narasaki (I); Congressional appointees: Heriot (I), Kirsanow\* (R), Kladney (D), Yaki\* (D).

\* Indicates Commissioner served in both 2006 and 2018



### Takeaways from the 2018 Report

- Recommendations:
  - **Increase federal investment** in Native American communities, including public safety, health, education, and housing
  - **Promote tribal sovereignty** by treating tribal governments equal to foreign state governments
  - Congress should **fund an interagency working group** to aid in federal collection of accurate and disaggregated data
  - “Congress should pass legislation to provide a process for the reorganization of a Native Hawaiian governing entity and to confirm the special political and legal relationship between the United States and such Native Hawaiian governing entity”
- What does this mean?
  - Congress receives USCCR's recommendations and will have the option to act or not act at its discretion



**Chair Waihe'e:** Before you move on to the next area, *Trustees are there any questions?*

**Trustee Lee:** Based on the takeaways of the 2018 report and given that Congress has the discretion to act or not act has any of Hawai'i's legislative team or allies; *have they introduced any legislation based-off the report or is this report just sitting there with nothing going on?*

**Washington D.C. Bureau Chief Nakoa (by telephone):** Unfortunately, the latter, no one has issued any legislation in Congress to reorganize the Government since I believe 2012. We haven't seen any broad sell, new legislation. Old legislation that would address some of these issues has been introduced, but those are just bills that have come up in past sessions. I don't think that it was this report necessarily that sparked those bills.

**Trustee Lee:** *Is there any possible legislation that OHA could work on to have our legislative team submit based on the findings from the report?*

**Pou Nui Hussey:** I just wanted to context the increase in Federal investments. Native Hawaiians, through several agencies, will work with the National Congress of American Indians and submit an entire Native Budget. It'll include all the education, health, and housing as an entire Native package. The President's Budget, because of the close-down has not dropped, but generally when it drops then the Acts that died and didn't go anywhere may be resurrected. By the time Congress reacts to the President's budget and then they open-up session you will be receiving a Federal matrix that will be substantially smaller than the State matrix, but it will have all the Federal, Congressional pieces there and then those positions of Support, Comment and all of that will be there.

*D.C. Bureau Chief Nakoa continues to go through the PowerPoint.  
Recorded sound is inaudible at times.  
(Please refer to PowerPoint Slides as well as handout that follows).*

### The 116th Congress

- 2018 Elections
  - Democrats won the House, flipping 40 seats (235-199-1)
  - Republicans kept the Senate, flipping 2 seats (53-47)
- Unfinished business from the 115<sup>th</sup> Congress
  - Nine departments left unfunded for FY 2019, resulting in a 35-day shutdown from December – January
  - Investigations into Russian interference in the 2016 elections
- FY 2020 appropriations update
  - President’s budget was delayed due to the federal shutdown
  - Congressional offices began requesting budget priorities at the beginning of February 2019
- A divided Congress and an unpredictable Trump Administration pose serious obstacles to productivity in the 116th Congress



### Hawai'i Congressional Delegation Committee Assignments

- Senator Schatz: **Appropriations** (Military Construction & Veterans Affairs\*; Transportation, Housing & Urban Development); **Commerce, Science, & Transportation** (Communications, Technology, Innovations, & the Internet\*); **Banking, Housing, & Urban Affairs; Indian Affairs; Ethics**
- Senator Hirono: **Armed Services** (Seapower\*); **Energy & Natural Resources** (National Parks; Public Lands); **Judiciary** (Constitution\*); **Veterans' Affairs; Small Business & Entrepreneurship**
- Representative Gabbard: **Armed Services** (Intelligence & Emerging Threats; Readiness); **Financial Services** (Diversity & Inclusion; National Security, International Development, & Monetary Policy)
- Representative Case: **Appropriations** (Legislative Branch; Commerce, Justice, & Science; Military Construction & Veterans Affairs); **Natural Resources** (Indigenous Peoples; National Parks, Forests, & Public Lands; Water, Oceans, & Wildlife)

NOTE: Committee and subcommittee assignments continue to be finalized.  
\* Indicates Chairmanship/Ranking Member of the Committee or Subcommittee



### Native Hawaiian Federal Policy Priorities

- **Education** – Native Hawaiian Education Act (NHEA), Every Student Succeeds Act (ESSA), Higher Education Act (HEA)
- **Housing** – Native Hawaiian Housing Block Grant (NHHBG), Native American Housing Assistance and Self-Determination Act (NAHASDA) reauthorization
- **Health** – Native Hawaiian Health Care Improvement Act (NHHCIA)
- **Native Language Programs** – Various programs (Esther Martinez, Native American Languages Act (NALA))
- **Community Development** – Native Hawaiian Revolving Loan Fund (NHRLF), Native Community Development Financial Institutions (Native CDFIs)



### Pau. Questions?



**Washington D.C. Bureau Chief Nakoa (by telephone):** The handout that accompanied the PowerPoint presentation has the Committee assignments on the back and our priorities on the front. It was Ka Pou Nui’s idea to update you using this format so that next quarter we can fill in the new information.

**Federal Legislative Priorities for the 116<sup>th</sup> Congress**

**Education**

- Reauthorize the Native Hawaiian Education Act (NHEA) set to expire in FY 2020
- Reauthorize the Higher Education Act (HEA)

**Hawaiian Language Programs**

- Reauthorize the Esther Martinez Native American Languages Preservation Act (Esther Martinez), which provides funding for Native language programs through the Administration for Native Americans (ANA)
  - o Senator Tom Udall (D-NM) introduced S. 256 on January 29, 2019; S. 256 passed out of the Senate Committee on Indian Affairs on February 6, 2019

**Community Development**

- Advocate for programmatic fixes to the Native Hawaiian Revolving Loan Fund (NHRLF) to allow the fund to be more effective in meeting the needs of the community
- Support Native Community Development Financial Institutions (CDFIs)

**Health Care**

- Reauthorize the Native Hawaiian Health Care Improvement Act (NHHCLA) set to expire in FY 2019, including funding and authorization for Papa Ola Lōkahi

**Housing**

- Reauthorize the Native American Housing and Self-Determination Act (NAHASDA), including the Native Hawaiian Housing Block Grant and the Section 184A Native Hawaiian Loan Guarantee Fund

Across the board, work with our Native allies and partners to serve as a strong, united voice for all Native Communities

- In the 116<sup>th</sup> Congress, it will be critical to ensure that Native Communities stand together, and that OHA continues to be a strong advocate alongside our Native allies and partners
- American Indians, Alaska Natives, and Native Hawaiians must hold Congress and this Administration accountable to fulfill its trust responsibility

**116<sup>th</sup> Congressional Committee Assignments for the Hawai'i Delegation**

<p><b>Senator Brian Schatz</b></p> <ul style="list-style-type: none"> <li>- Senate Committee on Appropriations                     <ul style="list-style-type: none"> <li>• Ranking Member, Military Construction, Veterans Affairs, and Related Agencies Subcommittee</li> </ul> </li> <li>• Commerce, Justice, Science, and Related Agencies Subcommittee</li> <li>• Defense Subcommittee</li> <li>• Labor, Health and Human Services, Education, and Related Agencies Subcommittee</li> <li>• Transportation, Housing and Urban Development, and Related Agencies Subcommittee</li> <li>- Senate Committee on Banking, Housing, and Urban Affairs                     <ul style="list-style-type: none"> <li>• Financial Institutions and Consumer Protection Subcommittee</li> <li>• National Security and International Trade and Finance Subcommittee</li> </ul> </li> <li>- Senate Committee on Commerce, Science, and Transportation                     <ul style="list-style-type: none"> <li>• Ranking Member, Communications, Technology, Innovation, and the Internet Subcommittee</li> <li>• Manufacturing, Trade, and Consumer Protection Subcommittee</li> </ul> </li> <li>• Science, Ocean, Fisheries, and Weather Subcommittee</li> <li>• Aviation and Space Subcommittee</li> <li>• Security Subcommittee</li> <li>- Senate Committee on Indian Affairs                     <ul style="list-style-type: none"> <li>- Senate Select Committee on Ethics</li> </ul> </li> </ul>	<p><b>Senator Mazie Hirono</b></p> <ul style="list-style-type: none"> <li>- Senate Committee on Armed Services                     <ul style="list-style-type: none"> <li>• Ranking Member, SeaPower Subcommittee</li> <li>• Emerging Threats and Capabilities Subcommittee</li> <li>• Readiness and Management Support Subcommittee</li> </ul> </li> <li>- Senate Committee on the Judiciary                     <ul style="list-style-type: none"> <li>• Ranking Member, Constitution Subcommittee</li> <li>• Border Security and Immigration Subcommittee</li> <li>• Intellectual Property Subcommittee</li> <li>• Oversight, Agency Action, Federal Rights and Federal Courts Subcommittee</li> </ul> </li> <li>- Senate Committee on Energy and Natural Resources                     <ul style="list-style-type: none"> <li>• Subcommittee on Energy</li> <li>• Subcommittee on National Parks</li> <li>• Subcommittee on Public Lands, Forests, and Mining</li> </ul> </li> <li>- Senate Committee on Small Business and Entrepreneurship                     <ul style="list-style-type: none"> <li>- Senate Committee on Veterans' Affairs</li> </ul> </li> </ul> <p><b>Representative Tuli Gabbard (D-HI-2)</b></p> <ul style="list-style-type: none"> <li>- House Committee on Armed Services                     <ul style="list-style-type: none"> <li>• Intelligence, Emerging Threats &amp; Capabilities Subcommittee</li> </ul> </li> <li>• Readiness Subcommittee</li> <li>- House Committee on Financial Services                     <ul style="list-style-type: none"> <li>• National Security, International Development, and Monetary Policy Subcommittee</li> <li>• Diversity and Inclusion Subcommittee</li> </ul> </li> </ul> <p><b>Representative Ed Case (D-HI-1)</b></p> <ul style="list-style-type: none"> <li>- House Committee on Appropriations                     <ul style="list-style-type: none"> <li>• Commerce, Justice, Science, and Related Agencies Subcommittee</li> <li>• Military Construction, Veterans Affairs, and Related Agencies Subcommittee</li> <li>• Legislative Branch Subcommittee</li> </ul> </li> <li>- House Committee on Natural Resources                     <ul style="list-style-type: none"> <li>• Indigenous Peoples of the United States Subcommittee</li> <li>• National Parks, Forests, and Public Lands Subcommittee</li> <li>• Water, Oceans, and Wildlife Subcommittee</li> </ul> </li> </ul>
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**Chair Waihe'e:** Thank you Keone, Good Job. *Are there any further questions members?*

*No additional questions or concerns from the BAE Committee*

**VI. COMMUNITY CONCERNS\***

None

**VII. ANNOUNCEMENTS**

None

**VIII. ADJOURNMENT**

Trustee Akaka moves to adjourn the BAE meeting.

Trustee Ahuna seconds the motion.

Chair Waihe'e asks if there is any discussion. There is none.

Chair Waihe'e asks if any members vote NO or ABSTAIN. There are no dissenting votes.

						11:35 a.m.	
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEI AHU ISA				X			
DAN AHUNA			2	X			
VICE-CHAIR KALEI AKAKA		1		X			
KELI'I AKINA				X			
BRENDON KALEI'AINA LEE				X			
CARMEN HULU LINDSEY							EXCUSED
ROBERT LINDSEY				X			
COLETTE MACHADO				X			
CHAIR JOHN WAIHE'E				X			
<b>TOTAL VOTE COUNT</b>				<b>8</b>	<b>0</b>	<b>0</b>	<b>1</b>

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

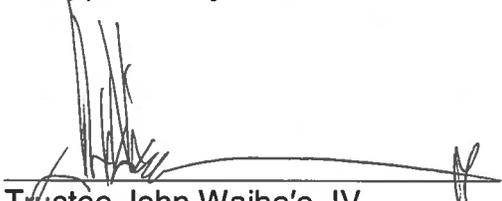
Chair Waihe'e adjourns the BAE meeting at 11:35 a.m.

Respectfully submitted,



Melissa Wennihan  
Trustee Aide  
Committee on Beneficiary Advocacy and Empowerment

As approved by the Committee on Beneficiary Advocacy and Empowerment on March 20, 2019.



Trustee John Waihe'e, IV  
Chair  
Committee on Beneficiary Advocacy and Empowerment

ATTACHMENT(s):

- Excuse Memo (1)