



SCR70/SR48

REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO CONDUCT AN INDEPENDENT FISCAL AUDIT OF ALL LIMITED LIABILITY CORPORATIONS CREATED OR CONTROLLED BY THE OFFICE

Senate Committee on Hawaiian Affairs

March 19, 2019

1:16 p.m.

Conference Room 016

The Office of Hawaiian Affairs (OHA) offers the following **COMMENTS** regarding SCR70/SR48.

OHA notes that various audits and financial reviews are already conducted and currently underway for both OHA and limited liability companies (LLCs)¹ created by OHA. We note that OHA: 1) Is subject to an audit by the State Auditor every four years;² 2) Is subject to a State Review every five years; 3) Annually contracts with an independent audit firm to conduct a financial audit of OHA;³ and 4) Has contracted with an independent audit firm to conduct a review of OHA disbursements. LLCs created by OHA also engage, contract, and pay for their own independent audits, which are provided to OHA for inclusion in OHA's basic financial statement, and are used by OHA's independent auditor as well. OHA's audited basic financial statements, including footnotes and LLC information, are published annually on our website.⁴ **Accordingly, independent financial audits of all LLCs created by OHA are already conducted, with audit information used and made available by the agency through various means.** Further details regarding OHA's audits and financial reviews are provided for the Committee's information below.

OHA's Annual Financial Audit and Audit Procedures. OHA's annual financial audit is an audit of the financial statements of its governmental activities, its business-type activities, each of its major funds, and aggregate remaining fund information as well as a budgetary comparison for the general fund of the OHA as of and for the fiscal year ending on June 30th, including notes for the financial statements (collectively OHA's basic financial

¹ Chapter 428 – Uniform Limited Liability Company Act

² Section 10-14.55, Hawai'i Revised Statutes, "Audit and report."

³ The "clean" audit opinion "based on our [independent OHA auditors] and the report of the other [independent LLC auditors]" as of June 30, 2017, may be found on OHA's website

<https://19of32x2yl33s8o4xza0gf14-wpengine.netdna-ssl.com/wp-content/uploads/OHA-2017-FS-Final.pdf>.

⁴ The Financial Statements and Report of Independent Certified Public Accountants of the Office of Hawaiian Affairs (OHA) are for the fiscal year ended June 30. The reports are prepared by OHA's Resource Management Line of Business. OHA is responsible for the accuracy of this information, its completeness and fairness, including all disclosures. The report includes the independent auditors' report, management's discussion and analysis (MD&A), basic financial statements and notes to the financial statements.

<https://www.oha.org/about/aboutfinancial-statements/>

statements). The audit involves performing procedures to obtain evidence about the amounts and disclosures in the basic financial statements. The procedures selected depend on the auditor's judgment, including assessments of the risks of material misstatements in the financial statements, whether due to fraud or error. In making such risk assessments, the auditor considers internal controls relevant to the entity's preparation and fair presentation of the financial statements; the auditor designs audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. The audit also includes an evaluation of the appropriateness of accounting policies used and the reasonableness of significant accounting estimates by management, as well as an evaluation of the overall presentation of the financial statements.⁵

LLC Audits and OHA Financial Audit Opinion. OHA's auditor's opinion includes the following description, "Our responsibility is to express opinions on these financial statements based on our audit. We did not audit the financial statements of [LLC], which represent 99 percent, 99 percent, and 95 percent, respectively, of the assets, net position, and revenues of the business-type activities. Those statements were audited by other auditors, whose report has been furnished to us, and our opinion, insofar as it relates to the amounts included for [LLC] is based solely on the report of the other auditors. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement."⁶

LLC Information in OHA Basic Financial Statements. Detailed LLC information is disclosed in OHA's basic financial statements in the "business-type" column of the Statement of Net Position and Statement of Activities, and in the Proprietary Funds – Statements of Net Position, Revenues, Expenses and Changes in Net Position and Cash Flows. In addition, Note A of the basic financial statements describe the financial reporting entity, including the blended component units (i.e., LLCs).

OHA June 30, 2017 Financial Statements. Accompanying our testimony is a copy of the most recent financial statements as of June 30, 2017,⁷ including LLC information, as also published on our website.

Thank you for the opportunity to testify on this measure.

⁵ Independent Auditor's Report as of June 30, 2017

⁶ Independent Auditor's Report as of June 30, 2017

⁷ The audit of the financial statements as of June 30, 2018 is in progress and should be available and posted in early April 2019.

**OFFICE OF HAWAIIAN AFFAIRS
STATE OF HAWAI'I**

**FINANCIAL STATEMENTS WITH
INDEPENDENT AUDITOR'S REPORT**

Year Ended June 30, 2017



N&K CPAs, Inc.
ACCOUNTANTS|CONSULTANTS

**OFFICE OF HAWAIIAN AFFAIRS
STATE OF HAWAII**

TABLE OF CONTENTS

	<u>Page</u>
Letter from the Chief Executive Officer - Unaudited	4 - 9
Independent Auditor's Report	10 - 12
Management's Discussion and Analysis (MD&A)	13 - 21
Basic Financial Statements	
Government-wide Financial Statements	
Statement of Net Position	22
Statement of Activities	23
Governmental Funds	
Balance Sheet	24 - 25
Reconciliation of Fund Balances of Governmental Funds to Net Position of Governmental Activities	26
Statement of Revenues, Expenditures, and Changes in Fund Balances	27
Reconciliation of Net Changes in Fund Balances of Governmental Funds to Change in Net Position of Governmental Activities	28
Statement of Revenues and Expenditures - Budget and Actual (Budgetary Basis), General Fund	29
Proprietary Funds	
Statement of Net Position	30
Statement of Revenues, Expenses, and Changes in Net Position	31
Statement of Cash Flows	32 - 33
Notes to the Basic Financial Statements	34 - 62

**OFFICE OF HAWAIIAN AFFAIRS
STATE OF HAWAII'**

TABLE OF CONTENTS

	<u>Page</u>
Basic Financial Statements (Continued)	
Required Supplementary Information Other than MD&A:	
Schedule of OHA's Proportionate Share of the Net Pension Liability	63
Schedule of Contributions	64

Office of Hawaiian Affairs, State of Hawai'i
LETTER FROM THE CHIEF EXECUTIVE OFFICER - UNAUDITED
June 30, 2017

To the Board of Trustees of the Office of Hawaiian Affairs

It is my pleasure to present to you, the Financial Statements and Report of Independent Certified Public Accountants of the Office of Hawaiian Affairs (OHA) for the fiscal year ended June 30, 2017. This report has been prepared by the Resource Management Line of Business. Responsibility for both the accuracy of the presented data and the completeness and fairness of the presentation, including all disclosures, rests with OHA. I believe the information, as presented, is fairly stated in all material aspects; that it is presented in a manner designed to fairly set forth the financial position and results of operations of OHA as measured by the financial activity of its various funds; and that all the information necessary to enable the reader to gain the maximum understanding of OHA's financial affairs has been included.

The report includes the independent auditor's report, management's discussion and analysis (MD&A), basic financial statements and notes to the financial statements.

Governmental Accounting Standards Board (GASB) Statement No. 34, *Basic Financial Statements - and Management's Discussion and Analysis - for State and Local Governments*, requires that management provide a narrative introduction, overview, and analysis to accompany the basic financial statements in the form of a Management's Discussion & Analysis (MD&A). This letter of transmittal is designed to complement the MD&A and should be read in conjunction with it.

THE REPORTING ENTITY

OHA was established by the 1979 Hawai'i State Legislature under the provisions of Chapter 10, Hawai'i Revised Statutes (Act 196). In 1980, the Hawai'i State Legislature approved Act 273, which, in addition to Act 196, initiated the appropriate process to organize and fund the entity. OHA's mission is to mālama (protect) Hawai'i's people and environmental resources and OHA's assets, toward ensuring the perpetuation of the culture, the enhancement of lifestyle and the protection of entitlements of Native Hawaiians, while enabling the building of a strong and healthy Hawaiian people and nation, recognized nationally and internationally.

GASB Statement No. 14, *The Financial Reporting Entity*, establishes standards for defining and reporting on the financial reporting entity. The financial reporting entity consists of OHA as the primary government, as well as other organizations for which the primary government is financially responsible as component units. Based on the common governance and the financial obligations that OHA has made to fund Ho'okele Pono LLC and Hi'ilei Aloha LLC and its subsidiaries, they have been classified as blended component units under proprietary funds. As a result, the financial results of Ho'okele Pono LLC and Hi'ilei Aloha LLC and its subsidiaries through December 31, 2016 have been included as business-type activities in the government-wide financial statements of OHA for the year ended June 30, 2017.

Office of Hawaiian Affairs, State of Hawai'i
LETTER FROM THE CHIEF EXECUTIVE OFFICER - UNAUDITED
June 30, 2017

DIVISIONS

A division is a combination of resources and activities designed to achieve an objective or objectives. OHA prepares biennial budgets and records expenditures separately for each of its divisions.

The title and objective of each division are listed below:

<u>Division Title</u>	<u>Division Objectives</u>
1. Board of Trustees	To work for the betterment of all Hawaiians by setting policy in response to the concerns and interest of the beneficiaries, in order to ensure the well-being of Native Hawaiians, to protect their rights and entitlements in their homeland; to assist them to achieve self-determination and self-governance; and to nurture and honor their culture.
2. Support Services	To work for the betterment of conditions of all Hawaiians by providing leadership, guidance, direction, and executive oversight. OHA seeks to excel among Hawai'i's organizations in managing resources, as well as applying technology to streamline processes, and fully integrate all aspects of information sharing and program support, and to coordinate data gathering, planning, research, and development efforts with other Hawaiian agencies.
3. Beneficiary Advocacy	To seek the betterment of all Hawaiians through improving access to resources, benefits, and services, particularly in the areas of housing, education, health, and economic development. To advance the rights and interests of Hawaiians through advocacy, public policy development, dialogue, community outreach, and litigation.

PURPOSE OF THE REPORT AND DEFINITIONS

The purpose of the financial audit was to enable the independent auditors to form opinions on the financial statement of the Office of Hawaiian Affairs as of June 30, 2017, and for the year then ended. The auditor's report represents the conclusion of the independent auditors regarding the fairness of the presentations, in conformity with accounting principles generally accepted in the United States of America, set forth in the financial statements and is used to communicate such conclusion to interested parties.

Office of Hawaiian Affairs, State of Hawai'i
LETTER FROM THE CHIEF EXECUTIVE OFFICER - UNAUDITED
June 30, 2017

The following is a glossary of certain accounting terms associated with the financial statements.

1. Appropriations - Authorizations granted by the State Legislature or OHA Board of Trustees permitting the agency within established fiscal and budgetary controls to incur obligations and to make expenditures for specific purposes. An appropriation is usually limited in amount and as to the period during which it may be expended.
2. Lapse - As applied to appropriations, this term denotes the automatic termination of an appropriation. At the end of the appropriation period, any unexpended or unencumbered balance lapses. This terminated amount is available for appropriation by the State Legislature in the ensuing fiscal year.
3. Encumbrances - Commitments related to unperformed (executory) contracts for goods or services.
4. Expenditures - Decreases in net financial resources. Expenditures include current operating expenses and capital outlays that require the current use of net current assets.
5. Fund - A fiscal and accounting entity with a self-balancing set of accounts recording cash and other current financial resources, together with all related liabilities and residual equities or balances, and changes therein, that are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulations, restrictions, or limitations.

EMPOWERING HAWAIIANS

Guided by our 2010-2018 Strategic Plan, OHA has honed our roles as Advocate, Researcher, and Asset Manager striving to affect positive systemic change to improve the conditions of all Hawaiians in the following six priority areas:

HO'OKAHUA WAIWAI

Economic Self-Sufficiency

To have choices and a sustainable future, Native Hawaiians will progress toward greater economic self-sufficiency.

MAULI OLA

Health

To improve the quality and longevity of life, Native Hawaiians will enjoy healthy lifestyles and experience reduced onset of chronic diseases.

'ĀINA

Land & Water

To maintain the connection to the past and a viable land base, Native Hawaiians will participate in and benefit from responsible stewardship of Ka Pae 'Āina 'O Hawai'i.

EA

Governance

To restore pono and ea, Native Hawaiians will achieve self-governance, after which the assets of OHA will be transferred to the new governing entity.

Office of Hawaiian Affairs, State of Hawai'i
LETTER FROM THE CHIEF EXECUTIVE OFFICER - UNAUDITED
June 30, 2017

MO'OMEHEU

Culture

To strengthen identity, Native Hawaiians will preserve, practice and perpetuate their culture.

HO'ONA'AUAO

Education

To maximize choices of life and work, Native Hawaiians will gain knowledge and excel in educational opportunities at all levels.

In addition, we continued to fulfill our promise to the State Department of Hawaiian Home Lands, providing \$3 million annually over 30 years to pay the debt service on its infrastructure improvement - an example of how Hawaiian-focused agencies can, and must, work hand-in-hand to leverage assets toward a common goal. This is just part of the approximately \$9.0 million in grants OHA awarded in fiscal year 2017 to improve, among other things, the health, education, housing, and economic conditions of Native Hawaiians.

FACTORS AFFECTING FINANCIAL CONDITION

The information presented in the basic financial statements is perhaps best understood when considered from the broader perspective of the specific environment within which OHA operates.

Sources of Funding

The sources of funding for OHA include State of Hawai'i general fund appropriations, ceded land revenue payments, federal grants, and miscellaneous other income. In addition, a substantial portion of the funding comes from withdrawals made from the Native Hawaiian Trust Fund (NHTF). The goal of the NHTF is to provide superior investment returns to sustain the beneficiaries in perpetuity and to uphold OHA's mission. In this regard the Board of Trustees has established a spending policy that limits the amount of withdrawals that can be made from the fund in any given fiscal year. The policy limits the withdrawal to five (5) percent of the NHTF's 20-quarter rolling average market value, as defined, to ensure that resources held within the trust are available for future spending.

The beneficiary needs for services is closely tied to the local economy, while the primary source of funding, the Native Hawaiian Trust Fund (NHTF), is closely tied to the national economy.

State of the Local Economy

Hawai'i's year over year Gross Domestic Product (GDP) increased by 3.5% in 2017 and is forecasted to grow by 3.8% in 2018. GDP for 2017 is at the highest point in Hawaii's history (\$87.6 billion) with an estimated \$91 billion in 2018. Visitor arrivals in 2017 increased by 5% in comparison to 2016 (2.9%) with visitor spending increasing by 6.2%. The stabilization of the yen and the Japanese economy are causing a stronger than anticipated number of Japanese tourists to visit. Hawai'i's unemployment rate fell to 2.5% at the end of 2017, down 0.5% reported a year earlier and is still below the

Office of Hawaiian Affairs, State of Hawai'i
LETTER FROM THE CHIEF EXECUTIVE OFFICER - UNAUDITED
June 30, 2017

national unemployment rate of 4.1%. Much of this drop can be attributed to increases in construction hiring. Construction will continue to drive the local economy until a majority of the single-family home buildings are completed sometime around 2019. Local price inflation in 2017 increased by 2.5%. Overseas growth, changes in tax policy, and a weaker dollar will provide strong tailwinds for 2018 with uncertainties in government leadership, changes in trade policies, and geopolitical tensions are the main headwinds. The U.S. Senate, House, Governor, and State Senate, House, and Municipal Government are up for election this year.

State of the National Economy

The economy continued to expand into 2017 with the United State Central Banking beginning to raise the overnight interest rate. The current rate is set at 1.5% with an additional 2-4 rate hikes anticipated this year. In 2018 we have seen a change in the Federal Reserve leadership with Jerome Powell replacing the previous Fed President Janet Yellen. The U.S. tax code was also changed for consumers and businesses. Short-term implications show consumers receiving increased take-home pay and businesses increasing their bottom line. The long term implications remain to be seen. Inflation has remained at the Fed's target around 2%. Market volatility has increased due to uncertainties in the Fed's abilities to use their tools to achieve their mandate. Overseas, Europe continues to work out their post-Brexit future and emerging markets rally from a mute 2016.

OHA's Investments

OHA's investment portfolio reported an 11.35% gain in fiscal year 2017, underperforming its strategic benchmark by 0.3%, on a net-of-fees basis. OHA's global equities portfolio had contributed a gain of 15.21%, outperforming its benchmark by 1.21%. OHA's Alternative investments portfolio posted an 8.77% return underperforming its benchmark by 3.99%. The strong performance comes after a disappointing flat performance of the Trust Fund in the previous year. OHA Investment Staff has made changes to the portfolio through its asset allocation and benchmark selection. The five year return on the portfolio has been 7.15% and 7.63% for seven years.

Office of Hawaiian Affairs, State of Hawai'i
LETTER FROM THE CHIEF EXECUTIVE OFFICER - UNAUDITED
June 30, 2017

CLOSING COMMENTS

On behalf of the Office of Hawaiian Affairs, I would like to express our gratitude to the Board of Trustees, Administration of the State of Hawai'i and members of the Hawai'i State Legislature for their continuing support. We look forward to helping even more Hawaiians as we continue to carry out our Strategic Plan and hope that everyone will join us in looking toward a bright future for our Native Hawaiian people.

Respectfully submitted,

Kamana'opono M. Crabbe, Ph.D
Its Ka Pouhana, Chief Executive Officer, Office of Hawaiian Affairs

INDEPENDENT AUDITOR'S REPORT

To the Board of Trustees of the Office of Hawaiian Affairs,
State of Hawai'i

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information as well as the budgetary comparison for the general fund of the Office of Hawaiian Affairs (OHA), State of Hawai'i, as of and for the year ended June 30, 2017, and the related notes to the financial statements, which collectively comprise OHA's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We did not audit the financial statements of Hi'ilei Aloha LLC, which represent 99 percent, 99 percent, and 95 percent, respectively, of the assets, net position, and revenues of the business-type activities. Those statements were audited by other auditors, whose report has been furnished to us, and our opinion, insofar as it relates to the amounts included for Hi'ilei Aloha LLC, is based solely on the report of the other auditors. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial

statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, based on our audit and the report of the other auditors, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of OHA, as of June 30, 2017, and the respective changes in financial position, the respective budgetary comparison of the general fund, and, where appropriate, cash flows thereof for the year then ended in conformity with accounting principles generally accepted in the United States of America.

Emphasis of Matter

Adoption of New Accounting Principle

As discussed in Note Q to the financial statements, OHA adopted new accounting guidance that clarifies standards for accounting and financial reporting for pensions that are provided to the employees of the state and local governmental employers. Our opinion is not modified with respect to this matter.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis on pages 13 through 21 and the schedule of the OHA's proportionate share of the net pension liability and schedule of the OHA's contributions on pages 63 and 64, respectively, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing

standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise OHA's basic financial statements. The Letter from the Chief Executive Officer is presented for purposes of additional analysis and is not a required part of the basic financial statements. The Letter from the Chief Executive Officer has not been subjected to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on it.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated March 29, 2018, on our consideration of OHA's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of OHA's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the OHA's internal control over financial reporting and compliance.

N&K CPAs, Inc.

Honolulu, Hawaii
March 29, 2018

Office of Hawaiian Affairs, State of Hawai'i
MANAGEMENT'S DISCUSSION AND ANALYSIS
June 30, 2017

As management of OHA, we offer the following narrative overview and analysis to readers of our financial statements. While the financial statements and notes present only the financial activities for the year ended June 30, 2017, management discussion and analysis will address both this year and the year ended June 30, 2016.

Management's discussion and analysis is provided at the beginning of the financial statements and notes to explain the past and current position of OHA's financial condition in layman's terms. This summary should not be taken as a replacement for the financial statements and notes that immediately follow this narrative.

FINANCIAL HIGHLIGHTS

Government-wide Financial Statements Highlights

Statement of Net Position - The assets of OHA exceeded its liabilities as of June 30, 2017, by \$600,726,145 (presented as "total net position"). Of this amount, \$355,005,176 is reported as "unrestricted", while \$25,498,353 is reported as "restricted-federal funds" and \$220,222,616 is reported as "invested in capital assets, net of related debt."

The assets of OHA exceeded its liabilities as of June 30, 2016 by \$574,805,179 (presented as "total net position"). Of this amount, \$322,824,911 is reported as "unrestricted", while \$26,690,007 is reported as "restricted-federal funds" and \$225,290,261 is reported as "invested in capital assets, net of related debt."

Unrestricted net position represents the amount available to be used to meet OHA's ongoing obligations to beneficiaries and creditors. Restricted assets represent amounts that have legal requirements on their use.

Statement of Activities - OHA's total net position, increased by \$26,548,077 (a 4.61% increase) in 2017. This was primarily due to increased revenue from interest and investment earnings in the amount of approximately \$43.3 million.

Additional information regarding OHA's investments can be found in Note H to the financial statements.

Governmental Funds Financial Statements Highlights

Governmental Funds - Fund Balances - In 2017, OHA's governmental funds reported an ending fund balance of \$401,480,597. Of this total amount, \$310,424, or 0.08% is classified as nonspendable for prepaid expenses and security deposits. Restricted fund balance totaled \$25,378,666 or 6.32%, broken down as follows: 94.26% for Native Hawaiian Revolving Loan Fund program of which \$3,701,101 relates to the long-term portion of outstanding loans, and 5.74% restricted for other federal programs administered by OHA. \$37,809,788 or 9.42% is classified as committed, based on the Board of Trustees' resolution to commit these funds towards the debt service of DHHL-issued revenue bonds. Assigned fund balance comprises 84.18% or \$337,983,053 of fund balance, broken down as follows: \$14,696,369 or 4.35% has

Office of Hawaiian Affairs, State of Hawai'i
MANAGEMENT'S DISCUSSION AND ANALYSIS
June 30, 2017

been encumbered, \$434,999 or 0.13% represents the non-current portion of outstanding loans and \$322,581,685 or 95.52% is available for future expenditures. Negative unassigned fund balance amounts included in the General Fund will be covered by 2018 appropriations and grant draws, respectively.

Overview of the Financial Statements

This discussion and analysis is intended to serve as an introduction to OHA's basic financial statements. OHA's basic financial statements include four components: 1) *Government-wide Financial Statements*, 2) *Governmental Funds Financial Statements*, 3) *Statement of Revenues and Expenditures - Budget and Actual (Budgetary Basis)*, *General Fund*, and 4) *Notes to Financial Statements*. The first three components are intended to present different financial views of OHA. The fourth component is intended to further explain some of the information in the financial statements and provide more detail. These components are described below.

Government-wide Financial Statements

The *Government-wide Financial Statements* provide a broad view of OHA's operations in a manner similar to a private-sector business. These statements provide both short-term and long-term information about OHA's financial position, which assists in assessing OHA's economic condition at the end of the year. These are prepared using the flow of economic resources measurement focus and the accrual basis of accounting. This basically means they follow accounting methods that are similar to those used by most businesses. They take into account all revenues and expenses connected with the year even if cash involved has not been received or paid. The *Government-wide Financial Statements* include two statements.

1. The *Statement of Net Position* presents all of OHA's assets, deferred outflows of resources, liabilities and deferred inflows of resources with the residual reported as "net position." Over time, increases or decreases in OHA's net position may serve as a useful indicator of whether the financial position of OHA is improving or deteriorating.
2. The *Statement of Activities* presents information showing how the government's net position changed during the year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will not result in cash flows until future fiscal periods (such as earned but unused compensatory and vacation leave).

The governmental activities of OHA include program revenues (revenues dedicated internally including federal and other grants that break out charges for services, operating grants, and investment income and net gains/losses) and general revenues (including legislative appropriations, Public Land Trust Fund (PLTF), investment income and net gains/losses on investments in the NHTF, newspaper advertisements, donations, non-imposed fringe benefits, and other revenues).

Office of Hawaiian Affairs, State of Hawai'i
MANAGEMENT'S DISCUSSION AND ANALYSIS
June 30, 2017

It also includes the results of Business-Type Activities, Ho'okele Pono LLC and Hi'ilei Aloha LLC and its wholly-owned subsidiaries, through its separate year end, December 31, 2016. Ho'okele Pono LLC and Hi'ilei Aloha LLC have been included as blended component units due to the fact that OHA is the sole corporate member of each entity.

Governmental Funds Financial Statements

A "*fund*" is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. OHA, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

The governmental funds financial statements focus on individual parts of OHA, reporting OHA's operations in more detail than the government-wide statements. All of the funds of OHA are considered "*governmental funds*" as opposed to proprietary (operate more like those of commercial enterprises) and fiduciary funds (used to account for resources held for the benefit of parties outside OHA).

Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, the governmental funds financial statements focus on near-term inflows and outflows of expendable resources. They also focus on the balances of available resources at the end of the year. Such information may be useful in evaluating the government's near-term financing requirements. This approach is known as using the flow of current financial resources measurement focus and the modified accrual basis of accounting. These statements provide a detailed short-term view of OHA's finances that assist in determining whether there will be adequate financial resources available to meet the current needs of OHA.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Both the governmental funds balance sheet and the governmental funds statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between governmental funds and the governmental activities. These reconciliations are included on pages 26 and 28 of this report.

OHA has two types of governmental funds that are presented separately in the governmental funds balance sheet and in the governmental funds statement of revenues, expenditures, and changes in fund balances. OHA's two types of governmental funds are General Fund and Special Revenue Funds. The Special Revenue Funds are the PLTF, Federal Grants Fund, and Other Fund.

Office of Hawaiian Affairs, State of Hawai'i
MANAGEMENT'S DISCUSSION AND ANALYSIS
June 30, 2017

The business type activities of blended component units, Ho'okele Pono LLC and Hi'ilei Aloha LLC and its wholly-owned subsidiaries, have been classified as proprietary funds. Like the government-wide financial statements, the proprietary fund statements report long-term (noncurrent) and short-term (current) financial information. The Statement of Cash Flows for the proprietary funds presents changes in cash and cash equivalents, resulting from operating, noncapital financing, capital and related financing, and investing activities. OHA's proprietary funds are classified as business-type activities in the government-wide financial statements on pages 22 and 23.

Statement of Revenues and Expenditures - Budget and Actual (Budgetary Basis), General Fund

The governmental funds financial statements are followed by a budgetary comparison statement, which compares the general fund's original budget, final budget, and actual amounts prepared on a budgetary basis. A reconciliation between the actual general fund revenues and expenditures compared to the general fund revenues and expenditures prepared for budgetary purposes is included in Note C to the financial statements. The *Statement of Revenues and Expenditures - Budget and Actual (Budgetary Basis), General Fund* can be found on page 29.

Notes to Financial Statements

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and the governmental funds financial statements. The notes to the financial statements can be found immediately following the *Proprietary Funds - Statement of Cash Flows*.

Office of Hawaiian Affairs, State of Hawai'i
MANAGEMENT'S DISCUSSION AND ANALYSIS
June 30, 2017

GOVERNMENT-WIDE FINANCIAL ANALYSIS

Statement of Net Position

Summarized financial information of OHA's *Statement of Net Position* as of June 30, 2017 and 2016 is as follows:

	<u>2017</u>	<u>2016</u>
ASSETS		
Capital assets	\$ 250,931,473	\$ 252,871,530
Other assets	<u>411,571,926</u>	<u>384,924,081</u>
Total assets	\$ <u>662,503,399</u>	\$ <u>637,795,611</u>
DEFERRED OUTFLOWS OF RESOURCES		
Deferred outflows of resources related to pensions	<u>10,362,562</u>	<u>3,070,777</u>
Total deferred outflows of resources	\$ <u>10,362,562</u>	\$ <u>3,070,777</u>
LIABILITIES		
Other liabilities	\$ 6,524,573	\$ 10,013,205
Long-term liabilities	<u>65,039,339</u>	<u>54,634,213</u>
Total liabilities	\$ <u>71,563,912</u>	\$ <u>64,647,418</u>
DEFERRED INFLOWS OF RESOURCES		
Deferred inflows of resources related to pensions	<u>575,904</u>	<u>1,413,791</u>
Total deferred inflows of resources	\$ <u>575,904</u>	\$ <u>1,413,791</u>
NET POSITION		
Invested in capital assets, net of related debt	220,222,616	225,290,261
Restricted	25,498,353	26,690,007
Unrestricted	<u>355,005,176</u>	<u>322,824,911</u>
Total net position	\$ <u>600,726,145</u>	\$ <u>574,805,179</u>

The 2016 amounts noted above do not reflect the restatement adjustment resulting from the implementation of GASB 82 as detailed in Note Q to the financial statements.

As noted earlier, net position may serve over time as a useful indicator of a government's financial position. OHA's net position totaled \$600,726,145 as of June 30, 2017, compared to \$574,805,179 as of June 30, 2016, representing an increase of 4.51% or \$25,920,966.

Office of Hawaiian Affairs, State of Hawai'i
MANAGEMENT'S DISCUSSION AND ANALYSIS
June 30, 2017

Unrestricted funds represent the largest portion of OHA's net position (59.10% and 56.16% at June 30, 2017 and 2016, respectively) and are comprised of resources that may be used to meet OHA's ongoing obligations to beneficiaries and creditors. This also includes internally imposed assignments of resources.

Statement of Activities

Summarized financial information of OHA's *Statement of Activities* for the years ended June 30, 2017 and 2016 is as follows:

	<u>2017</u>	<u>2016</u>
REVENUES		
Program revenues:		
Charges for services	\$ 12,500,418	\$ 9,899,686
Operating grants	730,421	1,164,361
General revenues:		
State allotments, net of lapsed appropriations	2,990,908	3,217,099
Public land trust revenue	15,100,000	15,100,000
Donations and other	515,639	331,028
Restricted donation	119,687	--
Interest and investment earnings (losses)	39,560,405	(3,759,322)
Non-imposed employee fringe benefits	<u>235,135</u>	<u>213,008</u>
Total revenues	<u>71,752,613</u>	<u>26,165,860</u>
EXPENSES		
Current divisions:		
Board of trustees	2,766,255	2,721,390
Support services	19,554,828	18,215,811
Beneficiary advocacy	14,911,396	25,906,661
Unallocated depreciation	2,412,043	2,298,698
Ho'okele Pono LLC	314,077	363,014
Hi'ilei Aloha LLC	<u>5,214,852</u>	<u>5,010,868</u>
Total expenses	<u>45,173,451</u>	<u>54,516,442</u>
NET TRANSFERS (TO) / FROM OTHER FUNDS	<u>(31,085)</u>	<u>350,316</u>
Change in net position	\$ <u>26,548,077</u>	\$ <u>(28,000,266)</u>

Office of Hawaiian Affairs, State of Hawai'i
MANAGEMENT'S DISCUSSION AND ANALYSIS
June 30, 2017

OHA's change in net position increased by \$54,548,343 during the year. Key elements of this increase compared to the prior are as follows:

General revenues interest and investment earnings increased by \$43,319,727 from the prior year primarily due to improved market conditions during all four quarters of fiscal year 2017.

Increases in net position were further attributed to decreases in expenses in fiscal year 2017 of \$9,342,991. This change was primarily due to decreases in beneficiary advocacy expenses by \$10,995,265, resulting largely from decreased grant expense for the year. Decrease in services on a fee also contributed to decreased expenses in fiscal year 2017.

Decreases in expenses were offset by increases of \$155,047, attributed to the operations of OHA's proprietary funds Hi'ilei Aloha LLC and subsidiaries. With assistance from OHA, Hi'ilei Aloha LLC and subsidiaries continues progress towards self-sustainability.

Additional information regarding OHA's capital assets can be found in Note I to the financial statements.

GOVERNMENTAL FUNDS FINANCIAL ANALYSIS

As noted earlier, OHA uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

The focus of OHA's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing OHA's financing requirements. In particular, unreserved fund balance may serve as a useful measure of a government's net resources available for spending, restricted by OHA's spending policy limitations, at the end of the year.

At the close of 2017, OHA's governmental funds reported an ending fund balance of \$401,480,597. Fund balance was segregated in to the following categories: Nonspendable, Restricted, Committed, Assigned and Unassigned.

Nonspendable fund balance totaled \$310,424 or 0.08% due to amounts related to inventory, prepaid expenses and security deposits.

Restricted fund balance totaled \$25,378,666 or 6.32%, and is comprised of the following: \$23,922,356 or 94.26% for the Native Hawaiian Revolving Loan Fund program of which \$3,701,101 relates to the long-term portion of outstanding loans, and \$1,456,310 or 5.74% restricted for other federal programs administered by OHA.

Committed fund balance totaled \$37,809,788 or 9.42% based on the Board of Trustees' resolution to commit these funds towards the debt service of DHHL-issued revenue bonds.

Office of Hawaiian Affairs, State of Hawai'i
MANAGEMENT'S DISCUSSION AND ANALYSIS
June 30, 2017

Assigned fund balance totaled \$337,981,719 or 84.18% of fund balance and is comprised of the following: \$14,695,035 or 4.35% has been encumbered, \$434,999 or 0.13% represents the non-current portion of outstanding loans and \$322,851,685 or 95.52% is available for future expenditures.

At the close of 2016, OHA's governmental funds reported an ending fund balance of \$371,729,051. Fund balance was segregated in to the following categories: Nonspendable, Restricted, Committed, Assigned and Unassigned.

Nonspendable fund balance totaled \$545,845 or 0.15% due to amounts related to inventory, prepaid expenses and security deposits.

Restricted fund balance totaled \$26,878,339 or 7.23%, and is comprised of the following: \$26,765,337 or 99.58% for the Native Hawaiian Revolving Loan Fund program of which \$6,192,859 relates to the long-term portion of outstanding loans, and \$113,002 or 0.42% restricted for other federal programs administered by OHA.

Committed fund balance totaled \$38,596,896 or 10.38% based on the Board of Trustees' resolution to commit these funds towards the debt service of DHHL-issued revenue bonds.

Assigned fund balance totaled \$306,239,916 or 82.38% of fund balance and is comprised of the following: \$10,531,862 or 3.44% has been encumbered, \$495,895 or 0.16% represents the non-current portion of outstanding loans and \$295,212,159 or 96.40% is available for future expenditures.

Unassigned fund balance totaled (\$531,945) or (0.14%) of fund balance and was covered by fiscal year 2017 appropriations.

OHA's governmental funds experienced an increase of \$29,751,546 in fund balance during 2017.

PROPRIETARY FUNDS FINANCIAL ANALYSIS

Proprietary funds' net position totaled \$17,906,087 at the end of 2017, compared to \$17,514,770 at the end of 2016, representing an increase of 2.23% or \$391,317.

Invested in capital assets, net of related debt represents the largest portion of proprietary funds' net position at \$14,937,075 or 83.42% and is primarily comprised of capital assets of Hi'ilei Aloha LLC and its wholly-owned subsidiaries.

Office of Hawaiian Affairs, State of Hawai'i
MANAGEMENT'S DISCUSSION AND ANALYSIS
June 30, 2017

CAPITAL ASSETS AND LONG-TERM LIABILITIES

OHA's investment in capital assets, net of depreciation, amounted to \$250,931,473 and \$252,871,530, as of June 30, 2017 and 2016, respectively. Capital assets include land, building, leasehold improvements, equipment and software development.

	<u>2017</u>	<u>2016</u>
Land	\$ 226,965,802	\$ 226,965,802
Buildings and improvements	32,698,244	32,431,630
Furniture, fixtures and equipment	6,826,726	6,667,783
Accumulated depreciation	<u>(15,559,299)</u>	<u>(13,193,685)</u>
Totals	\$ <u>250,931,473</u>	\$ <u>252,871,530</u>

The decrease in capital assets is primarily due to the combined effect of no significant additions in the current year and an increase in accumulated depreciation from prior year acquisitions. Additional information regarding OHA's capital assets can be found in Note I to the financial statements.

OHA's long-term liabilities include notes payable, lines of credit, accrued vacation, capital lease obligation, and net pension liability. The increase in long-term liabilities is primarily due to the increase in net pension liability, approximately \$10.9 million and the debt incurred, approximately \$1.6 million, to finance the governance planning related efforts. Additional information about OHA's long-term liabilities can be found in Notes L and M to the financial statements.

REQUEST FOR INFORMATION

Questions concerning any of the information provided in this report or requests for additional information should be addressed to:

Office of Hawaiian Affairs
Attn: Chief Financial Officer
560 N. Nimitz Hwy, Suite 200
Honolulu, Hawai'i 96817

Office of Hawaiian Affairs, State of Hawai'i
STATEMENT OF NET POSITION
June 30, 2017

	Governmental Activities	Business-Type Activities	Total
ASSETS AND DEFERRED OUTFLOWS OF RESOURCES			
Petty cash	\$ 800	\$ --	\$ 800
Cash:			
Held in State Treasury	5,794,491	--	5,794,491
Held in bank	19,874,149	2,880,728	22,754,877
Held by investment managers	4,498,433	--	4,498,433
Restricted cash	245,572	119,687	365,259
Accounts receivable, net	111,101	253,127	364,228
Interest and dividends receivable	69,291	--	69,291
Inventory, prepaid items and other assets	908,168	212,065	1,120,233
Notes receivable, net:			
Due within one year	2,146,507	--	2,146,507
Due after one year	4,136,100	--	4,136,100
Investments	370,321,707	--	370,321,707
Capital assets - net	<u>235,994,398</u>	<u>14,937,075</u>	<u>250,931,473</u>
Total assets	644,100,717	18,402,682	662,503,399
Deferred outflows of resources related to pensions	<u>10,362,562</u>	<u>--</u>	<u>10,362,562</u>
Total assets and deferred outflows of resources	\$ <u>654,463,279</u>	\$ <u>18,402,682</u>	\$ <u>672,865,961</u>
LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND NET POSITION			
Accounts payable and accrued liabilities	\$ 4,889,436	\$ 496,595	\$ 5,386,031
Due to State of Hawaii	1,138,542	--	1,138,542
Long-term liabilities:			
Due within one year	3,217,912	--	3,217,912
Due after one year	29,151,710	--	29,151,710
Other liabilities due in more than one year:			
Net pension liability	<u>32,669,717</u>	<u>--</u>	<u>32,669,717</u>
Total liabilities	<u>71,067,317</u>	<u>496,595</u>	<u>71,563,912</u>
Deferred inflows of resources related to pensions	<u>575,904</u>	<u>--</u>	<u>575,904</u>
Net Position:			
Invested in capital assets, net of related debt	205,285,541	14,937,075	220,222,616
Restricted	25,378,666	119,687	25,498,353
Unrestricted	<u>352,155,851</u>	<u>2,849,325</u>	<u>355,005,176</u>
Total net position	<u>582,820,058</u>	<u>17,906,087</u>	<u>600,726,145</u>
Total liabilities, deferred inflows of resources, and net position	\$ <u>654,463,279</u>	\$ <u>18,402,682</u>	\$ <u>672,865,961</u>

See accompanying notes to the basic financial statements.

Office of Hawaiian Affairs, State of Hawai'i
STATEMENT OF ACTIVITIES
Year Ended June 30, 2017

Functions / Programs	Program Revenues			Net (Expenses) Revenue and Changes in Net Position		
	Expenses	Charges for Services	Operating Grants and Contributions	Governmental Activities	Business-Type Activities	Total
Governmental Activities:						
Board of trustees	\$ 2,766,255	--	--	\$ (2,766,255)	--	\$ (2,766,255)
Support services	19,554,828	7,478,105	--	(12,076,723)	--	(12,076,723)
Beneficiary advocacy	14,911,396	--	730,421	(14,180,975)	--	(14,180,975)
Unallocated depreciation	2,412,043	--	--	(2,412,043)	--	(2,412,043)
Total governmental activities	39,644,522	7,478,105	730,421	(31,435,996)	--	(31,435,996)
Business-Type Activities:						
Ho'okele Pono LLC	314,077	190,157	--	--	(123,920)	(123,920)
Hi'iilei Aloha LLC	5,214,852	4,832,156	--	--	(382,696)	(382,696)
Total business-type activities	5,528,929	5,022,313	--	--	(506,616)	(506,616)
Total government-wide	\$ 45,173,451	\$ 12,500,418	\$ 730,421	\$ (31,435,996)	\$ (506,616)	\$ (31,942,612)
General Revenues:						
State allotments, net of lapsed appropriations				\$ 2,990,908	--	\$ 2,990,908
Public land trust revenue				15,100,000	--	15,100,000
Unrestricted contributions				515,639	--	515,639
Restricted donation				--	119,687	119,687
Interest and investment earnings				39,560,405	--	39,560,405
Nonimposed employee fringe benefits				235,135	--	235,135
Total general revenues				58,402,087	119,687	58,521,774
Transfers				(809,331)	778,246	(31,085)
Total general revenues and transfers				57,592,756	897,933	58,490,689
Change in net position				26,156,760	391,317	26,548,077
Net Position:						
Beginning of year, as previously stated				557,290,409	17,514,770	574,805,179
Restatement adjustment				(627,111)	--	(627,111)
Beginning of year, as restated				556,663,298	17,514,770	574,178,068
Net Position at end of year				\$ 582,820,058	\$ 17,906,087	\$ 600,726,145

See accompanying notes to the basic financial statements.

Office of Hawaiian Affairs, State of Hawai'i
GOVERNMENTAL FUNDS - BALANCE SHEET
 June 30, 2017

	General Fund	Public Land Trust	Federal Grants	Other	Total
ASSETS					
Petty cash	\$ --	\$ 800	\$ --	\$ --	\$ 800
Cash:					
Held in State Treasury	604,339	5,190,152	--	--	5,794,491
Held in bank	--	16,886,699	2,929,490	57,960	19,874,149
Held by investment managers	--	828,888	3,669,545	--	4,498,433
Restricted cash	--	--	245,572	--	245,572
Accounts receivable, net	--	59,935	47,328	3,838	111,101
Interest and dividends receivable	--	1,829	67,462	--	69,291
Inventory, prepaid items and other assets	--	310,424	--	--	310,424
Notes receivable:					
Due within one year	--	292,364	1,854,143	--	2,146,507
Due after one year	--	434,999	3,701,101	--	4,136,100
Investments	--	<u>357,014,285</u>	<u>13,307,422</u>	--	<u>370,321,707</u>
Total assets	<u>\$ 604,339</u>	<u>\$ 381,020,375</u>	<u>\$ 25,822,063</u>	<u>\$ 61,798</u>	<u>\$ 407,508,575</u>

Office of Hawaiian Affairs, State of Hawai'i
GOVERNMENTAL FUNDS - BALANCE SHEET (Continued)
 June 30, 2017

	General Fund	Public Land Trust	Federal Grants	Other	Total
LIABILITIES AND FUND BALANCE					
Liabilities					
Accounts payable and accrued liabilities	\$ 292,519	\$ 4,443,194	\$ 143,397	\$ 10,326	\$ 4,889,436
Due to State of Hawaii	--	<u>838,542</u>	<u>300,000</u>	--	<u>1,138,542</u>
Total liabilities	<u>292,519</u>	<u>5,281,736</u>	<u>443,397</u>	<u>10,326</u>	<u>6,027,978</u>
Fund balances					
Nonspendable -					
Inventory, prepaid items and security deposits	--	310,424	--	--	310,424
Restricted for:					
Beneficiary advocacy	--	--	1,456,310	--	1,456,310
Native Hawaiian loan programs	--	--	20,221,255	--	20,221,255
Long-term portion of notes receivable	--	--	3,701,101	--	3,701,101
Committed to:					
DHHL-issued revenue bonds	--	37,809,788	--	--	37,809,788
Assigned to:					
Board of trustees	--	23,249	--	--	23,249
Support services	43,000	7,167,106	--	--	7,210,106
Beneficiary advocacy	268,820	7,141,388	--	51,472	7,461,680
Long-term portion of notes receivable	--	434,999	--	--	434,999
Public Land Trust	--	<u>322,851,685</u>	--	--	<u>322,851,685</u>
Total fund balances	<u>\$ 311,820</u>	<u>\$ 375,738,639</u>	<u>\$ 25,378,666</u>	<u>\$ 51,472</u>	<u>\$ 401,480,597</u>
Total liabilities and fund balances	<u>\$ 604,339</u>	<u>\$ 381,020,375</u>	<u>\$ 25,822,063</u>	<u>\$ 61,798</u>	<u>\$ 407,508,575</u>

See accompanying notes to the basic financial statements.

Office of Hawaiian Affairs, State of Hawai'i
RECONCILIATION OF FUND BALANCES OF GOVERNMENTAL FUNDS TO
NET POSITION OF GOVERNMENTAL ACTIVITIES
June 30, 2017

Total fund balances - governmental funds		\$ 401,480,597
Amounts reported for governmental activities in the statement of net position are different because:		
Capital assets used in governmental funds are not financial resources, and therefore, are not reported in the funds.		235,994,398
Other assets used in governmental activities are not current financial resources and therefore are not reported in the funds.		597,744
Long-term liabilities are not due and payable in the current period and therefore are not reported in the funds.		
Compensated absences	(1,660,765)	
Capital lease obligations	(212,971)	
Net pension liability	(32,669,717)	
Deferred outflows of resources related to the net pension liability	10,362,562	
Deferred inflows of resources related to the net pension liability	(575,904)	
Notes payable	(20,300,386)	
Lines of credit	<u>(10,195,500)</u>	<u>(55,252,681)</u>
Net position of governmental activities		\$ <u>582,820,058</u>

See accompanying notes to the basic financial statements.

Office of Hawaiian Affairs, State of Hawai'i
GOVERNMENTAL FUNDS - STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
Year Ended June 30, 2017

	General Fund	Public Land Trust	Federal Grants	Other	Total
REVENUES					
Public land trust revenue	\$ --	\$ 15,100,000	\$ --	\$ --	\$ 15,100,000
Intergovernmental revenue	--	--	346,184	--	346,184
Appropriations, net of lapses	2,990,908	--	--	--	2,990,908
Charges for services	--	7,790,962	--	69,705	7,860,667
Interest and investment earnings	--	39,560,071	384,237	334	39,944,642
Donations and other	--	455,979	29,910	29,750	515,639
Non-imposed fringe benefits	235,135	--	--	--	235,135
Total revenues	3,226,043	62,907,012	760,331	99,789	66,993,175
EXPENDITURES					
Board of trustees	43,537	2,722,718	--	--	2,766,255
Support services	1,463,655	16,686,817	420	12,655	18,163,547
Beneficiary advocacy	1,102,582	11,737,562	2,071,252	--	14,911,396
Total expenditures	2,609,774	31,147,097	2,071,672	12,655	35,841,198
OTHER FINANCING (USES) SOURCES:					
Payment on debt	--	(591,100)	--	--	(591,100)
Net transfers to other funds	--	(469,331)	--	(340,000)	(809,331)
Net change in fund balances	616,269	30,699,484	(1,311,341)	(252,866)	29,751,546
FUND BALANCES:					
Beginning of year	(304,449)	345,039,155	26,690,007	304,338	371,729,051
End of year	\$ 311,820	\$ 375,738,639	\$ 25,378,666	\$ 51,472	\$ 401,480,597

See accompanying notes to the basic financial statements.

Office of Hawaiian Affairs, State of Hawai'i
RECONCILIATION OF NET CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS
TO CHANGE IN NET POSITION OF GOVERNMENTAL ACTIVITIES
Year Ended June 30, 2017

Net change in fund balances - total governmental funds		\$ 29,751,546
Amounts reported for governmental activities in the statement of activities are different because:		
<p>Governmental funds report capital outlays as expenditures, however, in the statement of activities, the cost of those assets are depreciated over their estimated useful lives as depreciation expense. This is the amount by which depreciation exceeded capital outlay in the current period.</p>		
Expenditures for capital assets	467,108	
Current year depreciation, amortization and other changes.	<u>(2,412,043)</u>	(1,944,935)
<p>Borrowings provide current financial resources to governmental funds; however, issuing debt increases long-term liabilities in the statement of net position. In the current period this is the amount of assets financed through capital leases.</p>		
		(221,727)
<p>Repayment of long-term debt is reported as an expenditure in governmental funds, but the repayment reduces long-term liabilities in the statement of net position. In the current year this is the principal payment on notes payable and capital leases.</p>		
		642,139
<p>Some items reported in the statement of activities do not involve current financial resources and therefore are not reported as revenues or expenditures in governmental funds. These activities are as follows:</p>		
Decreases in other assets	(1,508)	
Increase in deferred outflows of resources	7,918,896	
Increase in deferred inflows of resources	837,887	
Decreases in compensated absences	70,675	
Increase in net pension liability	<u>(10,896,213)</u>	<u>(2,070,263)</u>
Change in net position of governmental activities		\$ <u>26,156,760</u>

See accompanying notes to the basic financial statements.

Office of Hawaiian Affairs, State of Hawai'i
STATEMENT OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL (BUDGETARY BASIS), GENERAL FUND
 Year Ended June 30, 2017

	Budgeted Amounts		Actual	Variance
	Original	Final	(Budgetary Basis)	Favorable (Unfavorable)
REVENUES				
State appropriations, net of lapses	\$ 2,991,004	\$ 2,991,004	\$ 2,990,908	\$ (96)
EXPENDITURES				
Board of trustees	29,140	29,140	29,140	-
Support services	1,232,737	1,232,737	1,232,424	(313)
Beneficiary advocacy	1,729,127	1,729,127	1,729,550	423
	2,991,004	2,991,004	2,991,114	110
DEFICIENCY OF REVENUES UNDER EXPENDITURES	\$ -	\$ -	\$ (206)	\$ (206)

See accompanying notes to the basic financial statements.

Office of Hawaiian Affairs, State of Hawai'i
PROPRIETARY FUNDS - STATEMENT OF NET POSITION
June 30, 2017

	<u>December 31, 2016</u>		
	<u>Ho'okele Pono LLC</u>	<u>Hi'ilei Aloha LLC</u>	<u>Total</u>
ASSETS			
Cash and cash equivalents	\$ 85,943	\$ 2,794,785	\$ 2,880,728
Restricted cash	--	119,687	119,687
Accounts receivable, net	31,729	221,398	253,127
Inventory, prepaid items and other assets	950	211,115	212,065
Capital assets - net	<u>--</u>	<u>14,937,075</u>	<u>14,937,075</u>
Total assets	<u>\$ 118,622</u>	<u>\$ 18,284,060</u>	<u>\$ 18,402,682</u>
LIABILITIES AND NET POSITION			
Liabilities			
Accounts payable and accrued liabilities	<u>\$ 11,229</u>	<u>\$ 485,366</u>	<u>\$ 496,595</u>
Net position			
Invested in capital assets	--	14,937,075	14,937,075
Restricted - property acquisition	--	119,687	119,687
Unrestricted	<u>107,393</u>	<u>2,741,932</u>	<u>2,849,325</u>
Total net position	<u>107,393</u>	<u>17,798,694</u>	<u>17,906,087</u>
Total liabilities and net position	<u>\$ 118,622</u>	<u>\$ 18,284,060</u>	<u>\$ 18,402,682</u>

See accompanying notes to the basic financial statements.

Office of Hawaiian Affairs, State of Hawai'i
PROPRIETARY FUNDS - STATEMENT OF REVENUES, EXPENSES,
AND CHANGES IN NET POSITION
Year Ended June 30, 2017

	December 31, 2016		
	Ho'okele Pono LLC	Hi'ilei Aloha LLC	Total
OPERATING REVENUES			
Sales - gift store and other	\$ —	\$ 2,412,798	\$ 2,412,798
Cost of sales	<u>—</u>	<u>(2,670,230)</u>	<u>(2,670,230)</u>
Gross margin	—	(257,432)	(257,432)
Admission and tours	—	4,138,974	4,138,974
Other revenue	—	975,043	975,043
Cooperative agreement - Federal government	178,572	—	178,572
Conference registration fees	<u>11,585</u>	<u>—</u>	<u>11,585</u>
Total operating revenues	190,157	4,856,585	5,046,742
EXPENSES			
Program services	271,680	3,729,165	4,000,845
Management and general	66,826	1,467,923	1,534,749
Fundraising	<u>—</u>	<u>17,764</u>	<u>17,764</u>
Total operating expenses	<u>338,506</u>	<u>5,214,852</u>	<u>5,553,358</u>
Operating loss	(148,349)	(358,267)	(506,616)
NONOPERATING REVENUES AND EXPENSES			
Restricted donation	—	119,687	119,687
Net transfers from other funds	<u>148,885</u>	<u>629,361</u>	<u>778,246</u>
	<u>148,885</u>	<u>749,048</u>	<u>897,933</u>
Change in net position	<u>536</u>	<u>390,781</u>	<u>391,317</u>
NET POSITION			
Beginning of year	<u>106,857</u>	<u>17,407,913</u>	<u>17,514,770</u>
End of year	\$ <u>107,393</u>	\$ <u>17,798,694</u>	\$ <u>17,906,087</u>

See accompanying notes to the basic financial statements.

Office of Hawaiian Affairs, State of Hawai'i
PROPRIETARY FUNDS - STATEMENT OF CASH FLOWS
Year Ended June 30, 2017

	December 31, 2016		Total
	Ho'okele Pono LLC	Hi'ilei Aloha LLC	
Cash flows from operating activities			
Receipts from customers, grantors and funders	\$ 252,964	\$ 7,533,900	\$ 7,786,864
Payments to suppliers, vendors and service providers	(85,168)	(3,908,209)	(3,993,377)
Payments to employees for salaries and benefits	(232,987)	(3,742,901)	(3,975,888)
Net cash used in operating activities	<u>(65,191)</u>	<u>(117,210)</u>	<u>(182,401)</u>
Cash flows from noncapital financing activities			
Cash grants from OHA and Hi'ilei Aloha LLC	117,000	--	117,000
Advances from Hi'ilei Aloha LLC	98,788	--	98,788
Repayments of advances from Hi'ilei Aloha LLC	(98,788)	--	(98,788)
Grants from OHA	--	645,531	645,531
Net cash provided by noncapital financing activities	<u>117,000</u>	<u>645,531</u>	<u>762,531</u>
Cash flows from capital and related financing activities			
Restricted donations for purchase of real estate	--	119,687	119,687
Acquisitions of property and equipment	--	(328,623)	(328,623)
Net cash used in capital and related financing activities	<u>--</u>	<u>(208,936)</u>	<u>(208,936)</u>
Cash flows from investing activities			
Advances to Ho'okipaipai LLC	--	(98,788)	(98,788)
Repayments of advances to Ho'okipaipai LLC	--	98,788	98,788
Grants to Ho'okele Pono LLC and Ho'okipaipai LLC	--	(16,170)	(16,170)
Net cash used in investing activities	<u>--</u>	<u>(16,170)</u>	<u>(16,170)</u>
Net increase in cash and cash equivalents	51,809	303,215	355,024
Cash and cash equivalents - January 1, 2016	<u>34,134</u>	<u>2,611,257</u>	<u>2,645,391</u>
Cash and cash equivalents - December 31, 2016	\$ <u>85,943</u>	\$ <u>2,914,472</u>	\$ <u>3,000,415</u>
Cash and cash equivalents consist of:			
Cash	\$ 85,943	\$ 2,794,785	\$ 2,880,728
Restricted cash	<u>--</u>	<u>119,687</u>	<u>119,687</u>
	\$ <u>85,943</u>	\$ <u>2,914,472</u>	\$ <u>3,000,415</u>

See accompanying notes to the basic financial statements.

Office of Hawaiian Affairs, State of Hawai'i
PROPRIETARY FUNDS - STATEMENT OF CASH FLOWS (Continued)
Year Ended June 30, 2017

	December 31, 2016		Total
	Ho'okele Pono LLC	Hi'ilei Aloha LLC	
Reconciliation of operating loss to net cash used in operating activities			
Operating loss	\$ (148,349)	\$ (358,267)	\$ (506,616)
Adjustments to reconcile operating loss to net cash used in operating activities:			
Expenses paid by Hi'ilei Aloha LLC and OHA	31,885	--	31,885
Depreciation	--	323,745	323,745
Change in:			
Accounts receivable, net	62,807	(42,443)	20,364
Inventory, prepaid items and other assets	(72)	(61,996)	(62,068)
Accounts payable and accrued liabilities	<u>(11,462)</u>	<u>21,751</u>	<u>10,289</u>
Net cash used in operating activities	\$ <u>(65,191)</u>	\$ <u>(117,210)</u>	\$ <u>(182,401)</u>
Schedule of noncash financing activities -			
Grants from Hi'ilei Aloha LLC and OHA - payment of expenses	\$ <u>31,885</u>	\$ <u>--</u>	\$ <u>31,885</u>

See accompanying notes to the basic financial statements.

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE A - FINANCIAL REPORTING ENTITY

The accompanying basic financial statements present the financial activity of the Office of Hawaiian Affairs (Primary Government or OHA) and its blended component units, which are legally separate organizations for which the Primary Government is financially accountable.

As of June 30, 2017, OHA's blended components units are comprised of Hi'ilei Aloha LLC and Ho'okele Pono LLC, Hawai'i limited liability companies (collectively, the Companies) which were formed by OHA in September 2007 and May 2010, respectively. OHA is the sole corporate member of the Companies and the Chief Executive Officer, Chief Financial Officer, and Chief Operating Officer of OHA are the managers of the Companies. The results the Companies as of and for the year ended December 31, 2016, their fiscal year ends, have been included in the basic financial statements. For the period January 1, 2017 through June 30, 2017, the Companies have not entered into any significant or unusual transactions.

Ho'okele Pono LLC and Hi'ilei Aloha LLC and its wholly-owned subsidiaries, Hi'ipaka LLC and Hi'ipoi LLC are exempt from federal income tax under Sections 501(a) and 501(c)(3) of the Internal Revenue Code.

NOTE B - SIGNIFICANT ACCOUNTING POLICIES

- (1) ***Basis of Presentation*** - OHA's financial statements are prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) as prescribed by the Governmental Accounting Standards Board (GASB).
- (2) ***Governmental Funds Financial Statements*** - The governmental funds financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, OHA considers revenues to be available if they are collected within 60 days of the end of the current fiscal year. Principal revenue sources susceptible to accrual include Federal grants, public land trust revenue, and interest and dividends on investments.

Expenditures are generally recorded when a liability is incurred as under accrual accounting. Modifications to the accrual basis of accounting include the employees' vested annual leave, workers' compensation, net pension liability and capital lease obligations which are recorded as expenditures when utilized or paid. The amount of accumulated annual leave unpaid, accrued workers' compensation, net pension liability and capital lease obligations as of June 30, 2017 have been reported only in the government-wide financial statements.

When both restricted and unrestricted resources are available for use, it is OHA's policy to use restricted funds first, then unrestricted resources as they are needed.

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE B - SIGNIFICANT ACCOUNTING POLICIES (Continued)

The operations of each fund are accounted for by providing a separate set of self-balancing accounts that comprise the assets, liabilities, fund balance, revenues and expenditures of the fund. The funds are intended to conform to the State of Hawai'i general accounting system and are structured to comply with the requirements of appropriations and allotments authorized by State law.

OHA reports the following funds as major:

General Fund - The general fund of OHA is part of the State of Hawai'i General Fund. OHA's general fund financial statements reflect only OHA's appropriations and obligations. The general fund is used to account for all financial resources except those required to be accounted for in another fund, and includes the operating budget of general funds appropriated by the Hawai'i State Legislature.

Public Land Trust Fund (PLTF) - Reflects the income and expenditures from the Public Land Trust as defined in Chapter 10, Hawai'i Revised Statutes, as well as the proceeds and income of the Native Hawaiian Rights Fund. Expenditures reflect those from the OHA Board of Trustee appropriations of the Public Land Trust Funds.

Federal Grants Fund - Reflects the interest income earned from the Native Hawaiian Revolving Loan Fund (NHRLF) and the funds earned under other federal grants. Expenditures reflect necessary costs to administer the NHRLF and other federal grants.

- (3) ***Proprietary Funds Financial Statements*** - The focus of proprietary fund measurement is upon determination of operating income (loss), changes in net position, and net position. The intent of these funds is to be self-sufficient. The applicable GAAP are those similar to businesses in the private sector.

OHA reports the following funds as major:

Hi'iilei Aloha LLC - Reflects the revenues and expenditures related to the preservation and perpetuation of cultural and natural resources which are primarily generated from managing admissions to Waimea Valley on Oahu and the activities and events held there. Although this fund does not meet the major fund criteria, management believes this fund is important to financial statement users and has elected to report it as a major fund.

Ho'okele Pono LLC - Reflects the revenues and expenditures related to community economic development activity in the State of Hawaii which are primarily related to the operation of the Hawaii Procurement Technical Assistance Center. Although this fund does not meet the major fund criteria, management believes this fund is important to financial statement users and has elected to report it as a major fund.

- (4) ***Government-wide Financial Statements*** - The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE B - SIGNIFICANT ACCOUNTING POLICIES (Continued)

provider have been met. Program revenues include (a) fees and charges paid by the recipients of goods or services offered by the programs and (b) grants and contributions that are restricted to meeting the operational or capital requirements of a particular program.

Resources that are dedicated internally are reported as general revenues rather than as program revenues. Net position is restricted when constraints placed on them are either externally imposed or are imposed by constitutional provisions or enabling legislation. Internally imposed designations of resources are not presented as restricted net position.

- (5) **Investments** - Investments are reported at fair value using a variety of techniques. Mutual funds are actively traded on major stock exchanges, thus fair value is obtained using values from these exchanges, which are based on trades of identical securities available daily on a last trade or official close basis. Certain debt securities, such as U.S. Treasuries and U.S. Agencies, have an active market. These securities can typically be valued using the closing or last traded price on a specific date. Hedge funds, private equity funds, private debt funds and common trust funds are valued using their net asset value (NAV) and are audited annually. The most significant input into the NAV of such entities is the fair value of its investment holdings. These holdings are valued by the general partners on a quarterly basis, in accordance with GAAP. Commingled funds are valued based upon the NAV determined by the investment managers and are audited annually.

Purchases and sales of investments are recorded on the trade date. Interest income is recorded on the accrual basis. Dividends are recorded on the ex-dividend date.

- (6) **Inventory and Prepaid Items** - All inventories are stated at the lower of cost (first-in, first-out method) or market. Inventories of governmental funds are recorded as expenditures when consumed rather than when purchased. Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both government-wide and fund financial statements.
- (7) **Capital Assets** - Capital assets include tangible and intangible assets acquired with estimated useful lives greater than one year. Capital assets acquired for general organization purposes are recorded as expenditures in the governmental funds financial statements. Donated fixed assets are recorded at estimated fair value at the time received on the government-wide and proprietary fund financial statements.

Depreciation and amortization expense is recorded in the government-wide financial statements. Buildings, equipment, furniture and fixtures and improvements are depreciated on the straight-line method over their estimated useful lives. There is no depreciation recorded for land. The estimated useful lives of capital assets are as follows:

Buildings	30 Years
Leasehold improvements	Shorter of lease term or useful life
Furniture, fixtures, and equipment	5 Years

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE B - SIGNIFICANT ACCOUNTING POLICIES (Continued)

- (8) ***Deferred Outflows of Resources and Deferred Inflows of Resources*** - Deferred outflows (inflows) of resources represent a consumption of (benefit to) net position that applies to a future period. The deferred outflow of resources related to pensions resulted from differences between expected and actual experiences, changes in assumptions, the net difference between projected and actual earnings on pension plan investments, changes in proportion which will be amortized over five years, and OHA's contributions to the pension plan subsequent to the measurement date of the actuarial valuations for the pension plans which will be recognized as a reduction of the net pension liability in the subsequent fiscal year. The deferred inflow of resources related to pensions resulted from differences between expected and actual experiences and changes in proportion of the pension plan which will be amortized over five years.
- (9) ***Compensated Absences and Compensatory Pay*** - OHA accrues all vacation and compensatory pay at current salary rates; including additional amounts for certain salary-related expenses associated with the payment of compensated absences, in accordance with GASB Codification Section C60, Compensated Absences. The balance at June 30, 2017 includes fringe benefits computed at the rate of 7.65% of accrued vacation and compensatory pay. Accrued vacation is reported as an expense when earned in the government-wide and proprietary fund financial statements, but not reported as an expenditure in the governmental funds financial statements, as current financial resources are not used.
- (10) ***Risk Management*** - OHA is exposed to various risks of loss from torts, theft of or damage to assets, errors and omissions, and employee injuries and illnesses.
- (11) ***Governmental Funds - Fund Balance*** - GASB Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions* (GASB 54) provides guidance on the reporting of stabilization arrangements and changes the classifications and definitions to the following:

Nonspendable Fund Balance

Includes amounts that are (a) not in a spendable form or (b) legally or contractually required to remain intact. Examples include prepaid expenses and security deposits. These balances have been identified for proper presentation in OHA's Governmental Funds - Balance Sheet.

Restricted Fund Balance

Includes amounts restricted to a specific purpose as constraints placed on the use of these resources are either (a) externally imposed (e.g. grantors, creditors, laws, regulations) or (b) imposed by law through constitutional provisions or enabling legislation. Federal grants administered by OHA and specific proviso's identified in OHA's general fund appropriation have been presented under "restricted fund balance."

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE B - SIGNIFICANT ACCOUNTING POLICIES (Continued)

Committed Fund Balance

Includes amounts that can only be used for specific purposes based on constraints imposed by formal action of the entity's highest level of decision-making authority. For OHA purposes, "committed" funds have been identified as constraints imposed by Board of Trustee Resolution.

Assigned Fund Balance

Includes amounts that are constrained as to use by the entity's intent to be used for specific purposes, but are neither "restricted" nor "committed". Intent should be expressed by (a) the governing body itself or (b) a body or official to which the governing body has delegated such authority to assign amounts to be used for specific reasons. These constraints are more easily modified and/or removed. Generally all funding of any fund, other than the General Fund are "assigned." Public Land Trust as presented on OHA's Governmental Funds - Balance Sheet includes trust fund corpus for which no specific purpose has been defined. Draws from this line item are made annually pursuant to biennium budget approved by the Board of Trustees.

Unassigned Fund Balance

Is the residual classification for the general fund that has not been "restricted", "committed" or "assigned" in any way, however, may be subject to future reclassification. This classification also includes any negative residual balance when actual expenditures exceed available resources of a fund.

Stabilization Arrangements

Includes funds formally set aside for use in emergency situations or to cover revenue shortages or budgetary imbalances. These arrangements require specific circumstances on the availability of funds and restrictions as to use. OHA's Fiscal Reserve policy, as approved by the Board of Trustees, does not meet the criteria to warrant classification of "committed" funding under GASB 54.

OHA's Fiscal Reserve is comprised of lapsed fiscal year funding for its Public Land Trust budget. The Public Land Trust fiscal year budget is subject to Trustee approval prior to the start of each fiscal year. Use of Fiscal Reserve funding is subject to Board of Trustee approval and may be used to cover any current year funding shortfalls. As of June 30, 2017, OHA had approximately \$4.2 million in its Fiscal Reserve and is reported as Assigned Public Land Trust fund balance.

The deficit fund balance in the general fund is caused by the timing of grant reimbursements and will be recovered in the following fiscal year when appropriations become available.

- (12) **Encumbrances** - Encumbrances against budgeted appropriations are recorded upon the execution of contracts or purchase orders. Such encumbrances have been classified by expenditure division (i.e. Board of Trustees, Support Services, Beneficiary Advocacy) by fund balance classification (i.e. Restricted, Committed, Assigned) in the governmental funds financial statements. The related expenditure is reported in the period in which the liability is incurred.

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE B - SIGNIFICANT ACCOUNTING POLICIES (Continued)

Encumbrances as of June 30, 2017 consist of the following:

General Fund	\$	313,154
Public Land Trust Fund		14,331,743
Federal Grants Fund		1,598,995
Other Funds		<u>68,136</u>
	\$	<u>16,312,028</u>

(13) **Use of Estimates** - The preparation of financial statements in conformity with GAAP requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from estimates.

(14) **Notes Receivable** - Notes receivable consist of notes made to Native Hawaiian-owned businesses and individuals. Management provides an allowance for doubtful accounts equal to the estimated amounts deemed uncollectible by management which it considers outstanding for more than 90 days. Management also provides a general allowance for its notes receivable. The composition of notes receivable as of June 30, 2017 are as follows:

Native Hawaiian and Hawaiian persons		99.7%
Agencies		<u>0.3%</u>
		<u>100.0%</u>

(15) **Pensions** - For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the Employees' Retirement System (ERS) and additions to/deductions from the ERS's fiduciary net position have been determined on the same basis as they are reported by the ERS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with benefit terms. Investments are reported at their fair value.

(16) **Recent Accounting Pronouncements** - The Governmental Accounting Standards Board (GASB) issued Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*. The Statement replaces GASB Statement No. 45, *Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions*, and No. 57, *OPEB Measurements by Agent Employers and Agent Multiple-Employer Plans*. The Statement will require the liability of employers for defined benefit OPEB to be measured as the portion of the present value of projected benefit payments to be provided to current active and inactive employees that is attributed to those employees' past periods of service, less the amount of the OPEB plan's fiduciary net position.

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE B - SIGNIFICANT ACCOUNTING POLICIES (Continued)

The requirements of this Statement are effective for fiscal years beginning after June 15, 2017. Management has not yet determined the effect this Statement will have on OHA's financial statements, but anticipate that it will materially impact OHA's financial statements.

The GASB issued Statement No. 78, *Pensions Provided through Certain Multiple-Employer Defined Benefit Pension Plans*. The Statement amends the scope and applicability of Statement No. 68 to exclude certain pensions provided to employees of state or local governmental employers through a cost-sharing multiple-employer defined benefit pension. The requirements of this Statement are effective for reporting periods beginning after December 15, 2015. Management has determined that this Statement does not have a material effect on OHA's financial statements.

The GASB issued Statement No. 80, *Blending Requirements for Certain Component Units - an amendment of GASB Statement No. 14*. This Statement amends the blending requirements for the financial statement presentation of component units of all state and local governments. The additional criterion requires blending of a component unit incorporated as a not-for-profit corporation in which the primary government is the sole corporate member. The requirements of this Statement are effective for reporting periods beginning after June 15, 2016. Management has determined that this Statement does not have a material effect on OHA's financial statements.

The GASB issued Statement No. 82, *Pension Issues - an amendment of GASB Statements No. 67, No. 68, and No. 73*. This Statement addresses issues regarding (1) the presentation of payroll-related measures in required supplementary information, (2) the selection of assumptions and the treatment of deviations from the guidance in an Actuarial Standard of Practice for financial reporting purposes, and (3) the classification of payments made by employers to satisfy employee (plan member) contribution requirements. The requirements of this Statement are effective for reporting periods beginning after June 15, 2016, except for the requirements of this Statement for the selection of assumptions in a circumstance in which an employer's pension liability is measured as of a date other than the employer's most recent fiscal year-end. In that circumstance, the requirements for the selection of assumptions are effective for that employer in the first reporting period in which the measurement date of the pension liability is on or after June 15, 2017. Management has adopted the applicable requirements of the new standard as presented in OHA's financial statements.

The GASB issued Statement No. 83, *Certain Asset Retirement Obligations*. This Statement addresses accounting and financial reporting for certain asset retirement obligations ("AROs"). An ARO is a legally enforceable liability associated with the retirement of a tangible capital asset. A government that has legal obligations to perform future asset retirement activities related to its tangible capital assets should

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE B - SIGNIFICANT ACCOUNTING POLICIES (Continued)

recognize a liability based on the guidance in this Statement. The requirements of this Statement are effective for reporting periods beginning after June 15, 2018. Management has not yet determined the effect this Statement will have on OHA's financial statements.

The GASB issued Statement No. 85, *Omnibus 2017*. This Statement addresses a variety of topics including issues related to blending component units, goodwill, fair value measurement and application, and postemployment benefits (pensions and other postemployment benefits [OPEB]). The requirements of this Statement are effective for reporting periods beginning after June 15, 2017. Management has not yet determined the effect this Statement will have on OHA's financial statements.

The GASB issued Statement No. 86, *Certain Debt Extinguishment Issues*. This Statement improves consistency in accounting and financial reporting for in-substance defeasance of debt by providing guidance for transactions in which cash and other monetary assets acquired with only existing resources - resources other than the proceeds of refunding debt - are placed in an irrevocable trust for the sole purpose of extinguishing debt. This Statement also improves accounting and financial reporting for prepaid insurance on debt that is extinguished and notes to financial statements for debt that is defeased in substance. The requirements of this Statement are effective for reporting periods beginning after June 15, 2017. Management has not yet determined the effect this Statement will have on OHA's financial statements.

The GASB issued Statement No. 87, *Leases*. This Statement requires the recognition of certain lease assets and liabilities for leases that previously were classified as operating leases and recognized as inflows of resources or outflows of resources based on the payment provisions of the contract. It establishes a single model for lease accounting based on the foundational principle that leases are financings of the right to use an underlying asset. Under this Statement, a lessee is required to recognize a lease liability and an intangible right-to-use lease asset, and a lessor is required to recognize a lease receivable and a deferred inflow of resources. The requirements of this Statement are effective for reporting periods beginning after December 15, 2019. Management has not yet determined the effect this Statement will have on OHA's financial statements.

NOTE C - BIENNIAL BUDGET

Because it is not a part of the executive branch, OHA's budget is considered by the Hawai'i State Legislature to be separate from the State Administration's submittal, and its development follows a different procedure. The budgetary data reflected in the basic financial statements is established as follows:

The Budget - In the fall of each odd-numbered fiscal year, OHA's Administration drafts the program and budget recommendations that will be the basis for OHA's biennium budget request. Once approved by OHA's Board of Trustees, the general funds budget is submitted

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE C - BIENNIAL BUDGET (Continued)

directly to the State Legislature prior to its convening. The budget is generally constructed around OHA's operations (offices) and programs (divisions) and states programmatic objectives, expected outcomes, and financial requirements. The budget also shows the proportion of funding requested from general funds to be appropriated by the Legislature and from trust funds appropriated by OHA's Board of Trustees.

Legislative Review - Once the budget is submitted to the State Legislature, the review process follows that which is applied to the executive branch, with the budget being reviewed by House Finance Committee, Senate Ways and Means Committee, and the respective subject matter committee in the House and Senate. The State Legislature may request provisos and may require financial analysis and evaluation of those programs funded with general funds, but has no discretion over trust fund allocations.

Program Execution - Except as limited by policy decisions of OHA's Board of Trustees, provisions of the State Legislature, and other provisions of law, OHA's Administration is responsible for the proper management of the programs. Appropriation changes and transfers can be authorized by OHA's Board of Trustees; those impacting general funds are reported to the State Legislature.

The budget is adopted for the general fund and is prepared on a basis other than GAAP. The actual results of operations are presented on the budgetary basis in the statement of revenues and expenditures - budget and actual to provide a meaningful comparison of actual results to the legislative budget.

The major differences between the budgetary basis and GAAP basis are that (1) encumbrances are recorded as the equivalent of expenditures under the budgetary basis; and (2) revenue is recognized when received under the budgetary basis.

Adjustments necessary to reconcile the results of operations for the year ended June 30, 2017 from the budgetary basis to GAAP basis are as follows:

	Amount
Deficiency of revenues under expenditures - actual (budgetary basis)	\$ (206)
Reserve for encumbrances at June 30, 2017	313,154
Prior year reserve for encumbrances	219,289
Accrued payables and payroll	648,210
Expenditures for liquidation of prior-year encumbrances	<u>(564,178)</u>
Revenues over expenditures - actual (GAAP basis)	\$ <u>616,269</u>

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE D - APPROPRIATIONS

OHA is authorized to transfer appropriation amounts and staffing positions between programs for operating purposes, provided that a report of all transfers are made to the State Legislature prior to convening of the next legislative session. Act 170, Sessions Laws of Hawai'i (SLH) 2015 authorizes a total of \$2,991,004 in general funds.

NOTE E - CASH

The State maintains a cash pool that is used by all agencies. OHA's portion of this pool is indicated on the Governmental Funds Balance Sheet as "Cash Held in State Treasury." The Hawai'i Revised Statutes (HRS) authorizes the Director of Finance to invest in obligations of, or guaranteed by, the U.S. Government, obligations of the State, federally-insured savings and checking accounts, time certificates of deposit, and repurchase agreements with federally-insured financial institutions. OHA has elected not to receive any earnings from this cash pool.

OHA's cash included in State pooled funds is fully collateralized with securities held by third-party agents in the State's name, as required by the HRS, Section 38-8. As of June 30, 2017, OHA's cash held in the State Treasury totaled \$5,794,491.

OHA holds cash in banking institutions held outside of the State Treasury to maximize investment returns in accordance with HRS Section 10-5.

As of December 31, 2016, Hi'ilei Aloha LLC had a cash and restricted cash balance of \$2,914,472 with a corresponding bank balance of \$2,976,480. Hi'ilei Aloha LLC and its wholly-owned subsidiaries, Hi'ipaka LLC and Hi'ipoi LLC maintain separate legal entity cash accounts with a financial institution in the State of Hawai'i. Balances are insured up to \$250,000 per account holder by the FDIC. Balances may at times, however, exceed the FDIC's insurance limits.

As of December 31, 2016, Ho'okele Pono LLC did not have bank balances that exceed FDIC insurance limits. Balances may at times, however, exceed the FDIC's insurance limits.

NOTE F - INVENTORY, PREPAID ITEMS AND OTHER ASSETS

As of June 30, 2017, OHA's governmental funds had prepaid items totaling \$310,424. As of December 31, 2016, Hi'ilei Aloha LLC and Ho'okele Pono LLC, had inventory of \$201,121, and \$950, respectively, and prepaid items totaling \$9,994 and \$-0-, respectively.

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE G - NOTES RECEIVABLE

At June 30, 2017, notes receivable bear interest from 4% to 6.25%, mature on various dates through August 2021, and consists of the following:

	Amount
Notes receivable (of which \$449,724 is guaranteed by the Department of Hawaiian Home Lands (DHHL))	\$ 481,163
Native Hawaiian Revolving Loan Fund	7,575,208
Other	1,327,677
Total	9,384,048
Less allowance for doubtful accounts	(3,101,441)
Notes receivable, net	6,282,607
Amounts due within one year	(2,146,507)
Amounts due after one year	\$ 4,136,100

NOTE H - INVESTMENTS

Under the HRS Chapter 10, OHA's Board of Trustees may collect, receive, deposit, withdraw, and invest money and property to further the mission of OHA. On May 29, 2003, OHA's Board of Trustees adopted the Native Hawaiian Trust Fund Investment Policy Statement (NHTF investment policy), as updated September 27, 2012. OHA's Board of Trustees maintain responsibility for setting the investment policy guidelines, asset allocation constraints, and monitoring the advisors to ensure they act prudently and follow the investment policy.

OHA's investment policy allows for investments in U.S. large cap, U.S. small cap equities, international equities, core fixed income, high yield, real estate, absolute return, private equity, and private debt securities. Investments as of June 30, 2017 and their maturities were as follows:

Investment type	Fund	Fair Value	Investment maturities (in years)	
			Less than one	One through five
Mutual funds	NHTF	\$ 198,130,341	\$ 198,130,341	\$ --
Commingled funds	NHTF	65,120,614	65,120,614	--
Private equity	NHTF	61,486,931	--	61,486,931
Hedge funds	NHTF	23,836,788	23,836,788	--
Private debt	NHTF	8,439,611	--	8,439,611
Subtotal - NHTF		357,014,285	287,087,743	69,926,542
U.S. treasuries	NHRLF	11,109,117	3,737,829	7,371,288
U.S. agencies	NHRLF	2,198,305	745,647	1,452,658
Subtotal - NHRLF		13,307,422	4,483,476	8,823,946
Total investments		\$ 370,321,707	\$ 291,571,219	\$ 78,750,488

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE H - INVESTMENTS (Continued)

For all investments held in accordance with OHA's NHTF investment policy, funds are managed by investment advisors who are responsible for the prudent management of all assets subject to their oversight and are involved in all key decisions, such as manager selection, within the context set by the investment policy. The advisors are also responsible for the adherence to the NHTF investment policy which provides objectives, guidelines and procedures as to the type of investments, assets allocations, long term targets, asset diversification, benchmark, performance objectives, and of restricted investments. The NHTF investment policy provides for the superior investment returns to sustain the beneficiaries of the Trust in perpetuity and to uphold the mission of the NHTF.

In addition, OHA has a separate investment policy for the NHRLF, which is restricted to investments in government backed securities (fixed securities) which strive for higher rates of return with the potential for greater principal stability than longer term fixed income investments.

Foreign currency, interest rate, credit and concentration of credit risks for OHA's investments are as follows:

- (1) **Foreign Currency Risk** - To diversify the NHTF portfolio against market fluctuations, OHA's investment policy allows for investments in foreign countries. As of June 30, 2017, OHA's foreign currency risks are as follows:

<u>Investment Type</u>	<u>Currency</u>	<u>Value (US Dollar)</u>
Private equity funds	Euro	\$ 4,428,572

- (2) **Interest Rate Risk** - As a means to limit the amount of exposure to fair market value losses attributed to rising interest rates, OHA's NHRLF investment policy for the liquidity portfolio limits investments to the following maximum maturities:

<u>Type of Investment</u>	<u>Maximum Maturity</u>
U.S. treasuries	5 Years
U.S. agencies	5 Years

The duration of the investment portfolio, under normal market conditions, range between plus or minus 50% of the investment policy benchmark.

- (3) **Credit Risk** - Pursuant to 45 C.P.R. 1336.72(a), "any portion of the revolving loan fund that is not required for expenditure must be invested in obligations of the United States or in obligations guaranteed or insured by the United States." At June 30, 2017, credit rates for all securities of government agencies were rated at least Aa (Moody's) or AA (Standard & Poor's).

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE H - INVESTMENTS (Continued)

- (4) **Concentration of Credit Risk** - The NHRLF investment policy states that except for U.S. treasury securities and U.S. government sponsored agency obligations, fixed income securities will be limited to not more than 5% of the total portfolio, at the time of purchase, in any one issue. OHA is in compliance with this policy.
- (5) **Fair Value Measurements** - The framework for measuring fair value provides a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (level 1) and the lowest priority to unobservable inputs (level 3). Valuation techniques maximize the use of relevant observable inputs and minimize the use of unobservable inputs. The three levels of the fair value hierarchy are described as follows:

Level 1 - Inputs to the valuation methodology are quoted prices (unadjusted) in active markets for identical assets or liabilities that OHA can access at the time of measurement date.

Level 2 - Inputs other than quoted prices included within level 1 that are observable for the asset or liability, either directly or indirectly, such as:

- Quoted prices for similar assets or liabilities in active markets;
- Quoted prices for identical or similar assets or liabilities in inactive markets;
- Inputs other than quoted prices that are observable for the asset or liability;
- Inputs that are derived principally from or corroborated by observable market data by correlation or other means.

If the asset or liability has a specific (contractual) term, the level 2 input must be observable for substantially the full term of the asset or liability.

Level 3 - Inputs that are unobservable for the asset or liability.

The fair value of mutual funds and U.S. government obligations is obtained by using the closing price reported on active markets.

The valuation of commingled funds, hedge funds, private equity, common trust funds, and private debt are obtained by using the NAV, and are excluded from the fair value measurement table below.

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE H - INVESTMENTS (Continued)

The following table sets forth by level, within the fair value hierarchy, assets measured at fair value on a recurring basis as of June 30, 2017.

	Fund	Level 1	Level 2	Level 3	Total
Mutual funds					
Blended	NHTF	\$ 133,158,366	\$ --	\$ --	\$ 133,158,366
Bond funds	NHTF	27,784,426	--	--	27,784,426
Real estate	NHTF	10,781,895	--	--	10,781,895
Diversified emerging markets	NHTF	11,355,562	--	--	11,355,562
Growth	NHTF	7,811,526	--	--	7,811,526
Value	NHTF	<u>7,238,566</u>	<u>--</u>	<u>--</u>	<u>7,238,566</u>
Total mutual funds		198,130,341	--	--	198,130,341
U.S. treasuries	NHRLF	--	11,109,117	--	11,109,117
U.S. agencies	NHRLF	--	<u>2,198,305</u>	--	<u>2,198,305</u>
Total investments at fair value		<u>198,130,341</u>	<u>13,307,422</u>	<u>--</u>	<u>211,437,763</u>
Investments held at NAV					
Commingled funds					65,120,614
Private equity					61,486,931
Hedge funds					23,836,788
Private debt					<u>8,439,611</u>
Total investments at NAV					<u>158,883,944</u>
Total investments					\$ <u>370,321,707</u>

NOTE I - CAPITAL ASSETS

OHA's capital assets of governmental activities during the year ended June 30, 2017 was as follows:

	Balance July 1, 2016	Additions	Deductions	Balance June 30, 2017
Capital assets not depreciated:				
Land	\$ 213,961,981	\$ --	\$ --	\$ 213,961,981
Capital assets being depreciated:				
Buildings	23,708,949	--	--	23,708,949
Leasehold improvements	6,140,781	--	--	6,140,781
Furniture, fixtures and equipment	<u>5,709,610</u>	<u>467,108</u>	<u>(343,974)</u>	<u>5,832,744</u>
Total capital assets being depreciated	35,559,340	467,108	(343,974)	35,682,474
Less accumulated depreciation	<u>(11,581,988)</u>	<u>(2,412,043)</u>	<u>343,974</u>	<u>(13,650,057)</u>
Capital assets being depreciated, net	<u>23,977,352</u>	<u>(1,944,935)</u>	<u>--</u>	<u>22,032,417</u>
Governmental activities capital assets, net	\$ <u>237,939,333</u>	\$ <u>(1,944,935)</u>	\$ <u>--</u>	\$ <u>235,994,398</u>

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE I - CAPITAL ASSETS (Continued)

Hi'ilei Aloha LLC's capital assets activities during the year ended December 31, 2016 are as follows:

	Balance January 1, 2016	Additions	Deductions	Balance December 31, 2016
Capital assets not depreciated:				
Land	\$ 13,003,821	\$ —	\$ —	\$ 13,003,821
Capital assets being depreciated:				
Buildings	968,388	228,210		1,196,598
Leasehold improvements	1,613,512	38,404		1,651,916
Furniture, fixtures and equipment	958,173	62,009	(26,200)	993,982
Total capital assets being depreciated	3,540,073	328,623	(26,200)	3,842,496
Less accumulated depreciation	(1,611,697)	(323,745)	26,200	(1,909,242)
Total capital assets being depreciated	1,928,376	4,878	—	1,933,254
Capital assets, net	\$ 14,932,197	\$ 4,878	\$ —	\$ 14,937,075

NOTE J - CAPITAL LEASES

OHA leases photocopiers and mail postage meter machines for all offices. Capital leases are recorded as assets and liabilities and amortized over the term of the lease agreement by use of the straight line method. The amortization of assets recorded under capital leases is included with depreciation expenses. As of June 30, 2017, assets recorded under capital lease included in furniture, fixtures and equipment is \$452,751 and related amortization is \$263,243.

Annual debt service requirements to maturity for the capital leases are as follows:

<u>Fiscal Year Ending June 30,</u>	<u>Principal</u>	<u>Interest</u>
2018	\$ 45,277	\$ 5,153
2019	46,352	3,996
2020	47,494	2,854
2021	48,635	1,712
2022	25,213	571
	<u>\$ 212,971</u>	<u>\$ 14,286</u>

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE K - OPERATING LEASES

OHA leases office space and equipment under various noncancelable operating leases through June 2020. Future minimum payments under all leases as of June 30, 2017 are as follows:

<u>Fiscal Year Ending June 30,</u>	<u>Amount</u>
2018	\$ 151,980
2019	138,300
2020	<u>77,800</u>
	<u>\$ 368,080</u>

In August 1998, OHA entered into a 35-year lease with the Department of Land and Natural Resources (DLNR) for the use of the premises known as the Old Waialua Court House in Waialua, Oahu. Lease rent is gratis, however, OHA pays for all operating and repair costs associated with maintaining the property. OHA sublets a portion of the property to a not-for-profit organization which reimburses OHA for their portion of the costs associated with maintaining the property as set forth in the lease agreement between OHA and DLNR.

Rent expense (including taxes and common area maintenance) under all operating leases totaled approximately \$285,000 for the year ended June 30, 2017.

Hi'ilei Aloha LLC leases office space for its office located in Honolulu, Hawai'i, under a lease that expires October 2019. The lease includes base rent, plus a proportionate share of building operating expenses and general excise tax.

Future minimum payment obligations under all leases as of December 31, 2016 are approximately as follows:

<u>Year Ending December 31,</u>	<u>Amount</u>
2017	\$ 61,800
2018	63,700
2019	<u>54,400</u>
	<u>\$ 179,900</u>

Rent expense under operating leases totaled approximately \$68,000 for the year ended December 31, 2016. Hi'ilei Aloha LLC sub-leases a portion of its office space to Ho'okele Pono LLC under an agreement that renews annually. Rent revenue and related expenses of \$24,429 for the year ended December 31, 2016, are eliminated in the government-wide adjustments.

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE K - OPERATING LEASES (Continued)

Portions of Kaka'ako Makai, land included in capital assets, and Na Lama Kukui, building included in capital assets, are currently leased under operating lease arrangements that expire through 2042 and 2022, respectively. For the year ended June 30, 2017, rental revenue from Kaka'ako Makai and Na Lama Kukui amounted to approximately \$4,316,000 and \$3,059,000 respectively, and are recorded in the PLTF as charges for services.

As of June 30, 2017, approximate minimum future lease rentals under non-cancellable operating leases are as follows:

<u>Fiscal Year Ending June 30,</u>	<u>Amount</u>
2018	\$ 5,735,400
2019	5,512,000
2020	3,156,900
2021	2,465,600
2022	1,476,700
2023 - 2027	2,328,100
2028 - 2032	2,153,100
2033 - 2037	1,933,100
2038 - 2042	1,603,100
2043	<u>160,300</u>
	\$ <u>26,524,300</u>

NOTE L - LONG-TERM LIABILITIES

On August 14, 2012, OHA entered into a \$21,370,000 long term note payable with a bank, to finance the purchase of Na Lama Kukui. The interest rate is fixed at 3.35%. The note is due in full on September 1, 2022 and is collateralized by a mortgage lien on the property, assignment of OHA's right, title and interest as landlord in and to any rents under tenant leases and rental agreements on Na Lama Kukui and security interest in all furniture, fixtures, and equipment. On July 26, 2013 the agreement was modified to increase the interest rate to 3.6% and include certain financial covenants. At June 30, 2017, OHA was in compliance with those covenants.

The long term note payable future principal and interest payments are as follows:

<u>Fiscal Year ending June 30,</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2018	\$ 575,385	\$ 722,208	\$ 1,297,593
2019	596,444	701,149	1,297,593
2020	618,274	679,319	1,297,593
2021	640,903	656,691	1,297,594
2022	720,809	684,918	1,405,727
2023	<u>17,148,571</u>	<u>618,175</u>	<u>17,766,746</u>
	\$ <u>20,300,386</u>	\$ <u>4,062,460</u>	\$ <u>24,362,846</u>

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE L - LONG-TERM LIABILITIES (Continued)

On June 28, 2013 OHA entered into a \$6,758,000 line of credit to finance the renovation of Na Lama Kukui, which is due in full on June 28, 2023. On January 28, 2015, OHA entered into a \$5,000,000 line of credit to finance OHA's governance planning initiative and other projects, which is due in full on February 3, 2024. OHA had drawn a total of \$10,195,500 between the lines of credit as of June 30, 2017. The interest rates are contingent upon certain elections by OHA. The lines of credit are collateralized by all investment property and financial assets held in certain investment accounts. There were no principal payments made for the year ended June 30, 2017. The lines of credit are also subject to certain financial covenants. At June 30, 2017, OHA was in compliance with those covenants. Future principal and interest payments are as follows:

<u>Fiscal Year ending June 30,</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2018	\$ 1,614,774	\$ 180,080	\$ 1,794,854
2019	1,614,774	174,951	1,789,725
2020	1,614,774	185,932	1,800,706
2021	1,614,774	172,847	1,787,621
2022	1,614,774	118,239	1,733,013
2023 - 2024	<u>2,121,630</u>	<u>57,197</u>	<u>2,178,827</u>
	<u>\$ 10,195,500</u>	<u>\$ 889,246</u>	<u>\$ 11,084,746</u>

In the past, long-term liabilities have generally been paid by the Public Land Trust Fund.

Changes in long-term liabilities for the year ended June 30, 2017 were as follows:

	<u>Balance</u>			<u>Balance</u>	<u>Amount due</u>	<u>Amount due</u>
	<u>July 1, 2016</u>	<u>Additions</u>	<u>Deductions</u>	<u>June 30, 2017</u>	<u>within one year</u>	<u>after one year</u>
Compensated absences	\$ 1,731,440	\$ 802,671	\$ (873,346)	\$ 1,660,765	\$ 982,476	\$ 678,289
Capital lease obligation	42,283	221,727	(51,039)	212,971	45,277	167,694
Notes payable	20,891,486	-	(591,100)	20,300,386	575,385	19,725,001
Lines of credit	<u>10,195,500</u>	<u>-</u>	<u>-</u>	<u>10,195,500</u>	<u>1,614,774</u>	<u>8,580,726</u>
Total	<u>\$ 32,860,709</u>	<u>\$ 1,024,398</u>	<u>\$ (1,515,485)</u>	<u>\$ 32,369,622</u>	<u>\$ 3,217,912</u>	<u>\$ 29,151,710</u>

NOTE M - EMPLOYEE BENEFITS

- (1) **Defined Benefit Pension Plans** - Generally, all full-time employees of the State are required to be members of the Employees' Retirement System of the State of Hawai'i (ERS), a cost-sharing multiple-employer defined benefit pension plan that administers the State's pension benefits program. The employees of Hi'ilei Aloha LLC and Ho'okele Pono LLC are excluded from the ERS plans. Benefits, eligibility, and contribution requirements are governed by HRS Chapter 88 and can be amended through legislation. The ERS issues publicly available annual financial reports that can be obtained at ERS's website: <http://ers.ehawaii.gov/>.

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE M - EMPLOYEE BENEFITS (Continued)

The ERS provides retirement, disability, and death benefits with three membership classes known as the noncontributory, contributory, and hybrid retirement classes. The three classes provide a monthly retirement allowance equal to the benefit multiplier (generally 1.25% or 2%) multiplied by the average final compensation multiplied by years of credited service. Average final compensation for members hired prior to July 1, 2012 is an average of the highest salaries during any three years of credited service, excluding any salary paid in lieu of vacation for members hired January 1, 1971 or later and the average of the highest salaries during any five years of credited service including any salary paid in lieu of vacation for members hired prior to January 1, 1971. For members hired after June 30, 2012, average final compensation is an average of the highest salaries during any five years of credited service excluding any salary paid in lieu of vacation.

Each retiree's original retirement allowance is increased on each July 1 beginning the calendar year after retirement. Retirees first hired as members prior to July 1, 2012 receive a 2.5% increase each year of their original retirement allowance without a ceiling. Retirees first hired as members after June 30, 2012 receive a 1.5% increase each year of their original retirement allowance without a ceiling. The annual increase is not compounded.

The following summarizes the provisions relevant to the largest employee groups of the respective membership class. Retirement benefits for certain groups, such as police officers, firefighters, some investigators, sewer workers, judges, and elected officials, vary from general employees.

Noncontributory Class

Retirement Benefits

General employees' retirement benefits are determined as 1.25% of average final compensation multiplied by the years of credited service. Employees with ten years of credited service are eligible to retire at age 62. Employees with 30 years of credited service are eligible to retire at age 55.

Disability Benefits

Members are eligible for service-related disability benefits regardless of length of service and receive a lifetime pension of 35% of their average final compensation. Ten years of credited service is required for ordinary disability. Ordinary disability benefits are determined in the same manner as retirement benefits but are payable immediately, without an actuarial reduction, and at a minimum of 12.5% of average final compensation.

Death Benefits

For service-connected deaths, the surviving spouse/reciprocal beneficiary receives a monthly benefit of 30% of the average final compensation until remarriage or re-entry into a new reciprocal beneficiary relationship. Additional benefits are payable to surviving dependent children up to age 18. If there is no spouse/reciprocal beneficiary or dependent children, no benefit is payable.

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE M - EMPLOYEE BENEFITS (Continued)

Ordinary death benefits are available to employees who were active at time of death with at least ten years of credited service. The surviving spouse/reciprocal beneficiary (until remarriage/reentry into a new reciprocal beneficiary relationship) and dependent children (up to age 18) receive a benefit equal to a percentage of the member's accrued maximum allowance unreduced for age or, if the member was eligible for retirement at the time of death, the surviving spouse/reciprocal beneficiary receives 100% joint and survivor lifetime pension and the dependent children receive a percentage of the member's accrued maximum allowance unreduced for age.

Contributory Class for Employees Hired prior to July 1, 2012

Retirement Benefits

General employees' retirement benefits are determined as 2% of average final compensation multiplied by the years of credited service. General employees with 5 years of credited service are eligible to retire at age 55.

Police officers and firefighters' retirement benefits are determined using the benefit multiplier of 2.5% for qualified service, up to a maximum of 80% of average final compensation. Police officers and firefighters with five years of credited service are eligible to retire at age 55. Police officers and firefighters with 25 years of credited service are eligible to retire at any age, provided the last five years is service credited in these occupations.

Disability Benefits

Members are eligible for service-related disability benefits regardless of length of service and receive a one-time payment of the member's contributions and accrued interest plus a lifetime pension of 50% of their average final compensation. Ten years of credited service is required for ordinary disability. Ordinary disability benefits are determined as 1.75% of average final compensation multiplied by the years of credited service but are payable immediately, without an actuarial reduction, and at a minimum of 30% of average final compensation.

Death Benefits

For service-connected deaths, the designated beneficiary receives a lump sum payment of the member's contributions and accrued interest plus a monthly benefit of 50% of the average final compensation to the surviving spouse/reciprocal beneficiary until remarriage or re-entry into a new reciprocal beneficiary relationship. If there is no surviving spouse/reciprocal beneficiary, surviving children (up to age 18) or dependent parents are eligible for the monthly benefit. If there is no spouse/reciprocal beneficiary or dependent children/parents, the death benefit is payable to the designated beneficiary.

Ordinary death benefits are available to employees who were active at time of death with at least one year of service. Ordinary death benefits consist of a lump sum payment of the member's contributions and accrued interest plus a percentage of the salary earned in the 12 months preceding death, or 50% Joint and Survivor lifetime pension if the member was not eligible for retirement at the time of death but was credited with at least 10 years of service and designated one beneficiary, or 100% Joint and Survivor lifetime pension if the member was eligible for retirement at the time of death and designated one beneficiary.

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE M - EMPLOYEE BENEFITS (Continued)

Contributory Class for Employees Hired After June 30, 2012

Retirement Benefits

General employees' retirement benefits are determined as 1.75% of average final compensation multiplied by the years of credited service. General employees with ten years of credited service are eligible to retire at age 60.

Police officers and firefighters' retirement benefits are determined using the benefit multiplier of 2.25% for qualified service, up to a maximum of 80% of average final compensation. Police officers and firefighters with ten years of credited service are eligible to retire at age 60. Police officers and firefighters with 25 years of credited service are eligible to retire at 55, provided the last five years is service credited in these occupations.

Disability and Death Benefits

Members are eligible for service-related disability benefits regardless of length of service and receive a lifetime pension of 50% of their average final compensation plus refund of contributions and accrued interest. Ten years of credited service is required for ordinary disability. Ordinary disability benefits are 1.75% of average final compensation for each year of service for police officers and firefighters and are payable immediately, without an actuarial reduction, at a minimum of 30% of average final compensation.

Death benefits for contributory members hired after June 30, 2012 are generally the same as those for contributory members hired June 30, 2012 and prior.

Hybrid Class for Employees Hired Prior to July 1, 2012

Retirement Benefits

General employees' retirement benefits are determined as 2% of average final compensation multiplied by the years of credited service. General employees with five years of credited service are eligible to retire at age 62. General employees with 30 years of credited service are eligible to retire at age 55.

Disability Benefits

Members are eligible for service-related disability benefits regardless of length of service and receive a lifetime pension of 35% of their average final compensation plus refund of their contributions and accrued interest. Ten years of credited service is required for ordinary disability. Ordinary disability benefits are determined in the same manner as retirement benefits but are payable immediately, without an actuarial reduction, and at a minimum of 25% of average final compensation.

Death Benefits

For service-connected deaths, the designated surviving spouse/reciprocal beneficiary receives a lump sum payment of the member's contributions and accrued interest plus a monthly benefit of 50% of the average final compensation until remarriage or re-entry into a new reciprocal beneficiary relationship. If there is no surviving spouse/reciprocal beneficiary, surviving dependent children (up to age 18) or dependent parents are eligible for the monthly benefit. If there is no spouse/reciprocal beneficiary or dependent children/parents, the ordinary death benefit is payable to the designated beneficiary.

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE M - EMPLOYEE BENEFITS (Continued)

Ordinary death benefits are available to employees who were active at time of death with at least five years of service. Ordinary death benefits consist of a lump sum payment of the member's contributions and accrued interest plus a percentage multiplied by 150%, or 50% joint and survivor lifetime pension if the member was not eligible for retirement at the time of death but was credited with at least ten years of service and designated one beneficiary, or 100% joint and survivor lifetime pension if the member was eligible for retirement at the time of death and designated one beneficiary.

Hybrid Class for Employees Hired After June 30, 2012

Retirement Benefits

General employees' retirement benefits are determined as 1.75% of average final compensation multiplied by the years of credited service. General employees with ten years of credited service are eligible to retire at age 65. Employees with 30 years of credited service are eligible to retire at age 60. Sewer workers, water safety officers, and emergency medical technicians may retire with 25 years of credited service at age 55.

Disability and Death Benefits

Provisions for disability and death benefits generally remain the same except for ordinary death benefits. Ordinary death benefits are available to employees who were active at time of death with at least ten years of service. Ordinary death benefits consist of a lump sum payment of the member's contributions and accrued interest, or 50% joint and survivor lifetime pension if the member was not eligible for retirement at time of death but was credited with at least ten years of service and designated one beneficiary, or 100% joint and survivor lifetime pension if the member was eligible for retirement at the time of death and designated one beneficiary.

Contributions

Contributions are established by HRS Chapter 88 and may be amended through legislation. The employer rate is set by statute based on the recommendations of the ERS actuary resulting from an experience study conducted every five years. Since July 1, 2005, the employer contribution rate is a fixed percentage of compensation, including the normal cost plus amounts required to pay for the unfunded actuarial accrued liabilities. The contribution rates for fiscal year 2017 were 25.00% for police and firefighters and 17.00% for all other employees. Contributions to the pension plan from OHA were approximately \$1,634,000 for the year ended June 30, 2017.

The employer is required to make all contributions for noncontributory members. For contributory class employees hired prior to July 1, 2012, general employees are required to contribute 7.8% of their salary, except for police and firefighters who are required to contribute 12.2% of their salary. Contributory class employees hired after June 30, 2012 are required to contribute 9.8% of their salary, except for police and firefighters who are required to contribute 14.2% of their salary. Hybrid members hired prior to July 1, 2012 are required to contribute 6.0% of their salary. Hybrid members hired after June 30, 2012 are required to contribute 8.0% of their salary.

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE M - EMPLOYEE BENEFITS (Continued)

Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

At June 30, 2017, OHA reported a liability of \$32,669,717 for its proportionate share of net pension liability. The net pension liability was measured as of June 30, 2016, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. OHA's proportion of the net pension liability was based on a projection of OHA's long-term share of contributions to the pension plan relative to projected contributions of all participants, actuarially determined. At June 30, 2016, OHA's proportion was 0.42% which was a decrease of 0.01% from its proportion measured as of June 30, 2015.

There were significant changes in actuarial assumptions effective June 30, 2016 based on the Five-Year Experience Study report dated July 5, 2016 that resulted in a significant increase in the measurement of the total pension liability. Primary drivers for the increase include a decrease in the investment return assumption and discount rate from 7.65% as of June 30, 2015 to 7.00% as of June 30, 2016; and a decrease in the mortality assumptions for longer life expectancy and an explicit assumption for continued future mortality improvement (generational approach).

There were no other changes between the measurement date, June 30, 2016, and the reporting date, June 30, 2017, that are expected to have a significant effect on the proportionate share of the net pension liability.

For the year ended June 30, 2017, OHA recognized pension expense of \$2,139,429. At June 30, 2017, OHA reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	<u>Deferred Outflows of Resources</u>	<u>Deferred Inflows of Resources</u>
Differences between expected and actual experience	\$ 643,518	\$ (471,406)
Changes in assumptions	5,992,389	--
Net difference between projected and actual earnings on pension plan investments	1,986,048	--
Changes in proportion and differences between OHA contributions and proportionate share of contributions	106,701	(104,498)
OHA's contributions subsequent to the measurement date	<u>1,633,906</u>	<u>--</u>
	<u>\$ 10,362,562</u>	<u>\$ (575,904)</u>

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE M - EMPLOYEE BENEFITS (Continued)

The \$1,633,906 reported as deferred outflows of resources related to pensions resulting from OHA contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ended June 30, 2018. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Fiscal Year Ending June 30,	Amount
2018	\$ (1,577,686)
2019	(1,577,686)
2020	(2,138,508)
2021	(1,866,680)
2022	(992,192)
	\$ (8,152,752)

Actuarial Assumptions

The total pension liability in the June 30, 2016 actuarial valuation was determined using the following actuarial assumptions adopted by the Board of Trustees of the Employees' Retirement System of the State of Hawai'i, on December 12, 2016, based on the most recent experience study dated July 5, 2016:

Inflation	2.50%	
Payroll growth rate	3.50%	
Investment rate of return	7.00% per year, compounded annually including inflation	

There were no changes to ad hoc postemployment benefits including cost of living allowances.

Post-retirement mortality rates are based on the 2016 Public Retirees of Hawaii mortality table with adjustments based on generational projections of the BB projection table for 2016 and full generational projections in future years. Pre-retirement mortality rates are based on multiples of the RP-2014 mortality table based on the occupation of the member.

The long-term expected rate of return on pension plan investments was determined using a "top down approach" of the Bespoke Client-Constrained Simulation-based Optimization Model (a statistical technique known as "re-sampling with a replacement" that directly keys in on specific plan-level risk factors as stipulated by the ERS Board) in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE M - EMPLOYEE BENEFITS (Continued)

class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by target asset allocation percentage and by adding expected inflation. The target allocation and best estimates of geometric real rates of return for each major asset class are summarized in the following table:

<u>Strategic Allocation (Risk-Based Classes)</u>	<u>Target Allocation</u>	<u>Long-Term Expected Real Rate of Return</u>
Broad growth	63.0%	8.4%
Principal protection	7.0%	2.2%
Real return	10.0%	6.2%
Crisis risk offset	<u>20.0%</u>	5.5%
Total investments	<u>100.0%</u>	

Discount Rate

The discount rate used to measure the net pension liability was 7.00%, a decrease from the 7.65% rate used at the prior measurement date. The projection of cash flows used to determine the discount rate assumed that employee contributions will be made at the current contribution rate and that contributions from the State will be made at statutorily required rates, actuarially determined. Based on those assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the long-term expected rate of return on pension plan investments was applied to all period of projected benefit payments to determine the total pension liability.

Sensitivity of OHA's Proportionate Share of the Net Pension Liability to Changes in the Discount Rate

The following presents OHA's proportionate share of the net pension liability calculated using the discount rate of 7.00%, as well as what OHA's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage point lower (6.00%) or 1-percentage point higher (8.00%) than the current rate:

	<u>1 percent decrease (6.00%)</u>	<u>Current discount rate (7.00%)</u>	<u>1 percent increase (8.00%)</u>
OHA's proportionate share of the net pension liability	\$ 40,650,275	\$ 32,669,717	\$ 24,442,328

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE M - EMPLOYEE BENEFITS (Continued)

Pension Plan Fiduciary Net Position

The pension plan's fiduciary net position is determined on the same basis used by the pension plan. The ERS financial statements are prepared using the accrual basis of accounting under which expenses are recorded when the liability is incurred, and revenues are recorded in the accounting period in which they are earned and become measurable. Employer and member contributions are recognized in the period in which the contributions are due. Benefits and refunds are recognized when due and payable in accordance with the terms of the plan. Investment purchases and sales are recorded as of their trade date. Administrative expenses are financed exclusively with investment income.

There were no significant changes after the report measurement date. Detailed information about the pension plan's fiduciary net position is available in the separately issued ERS financial report. ERS's complete financial statements are available at <http://www.ers.ehawaii.gov>.

Payables to the Pension Plan

At June 30, 2017, the amount payable to the ERS was \$209,292.

- (2) ***Post-Retirement Health Care and Life Insurance Benefits*** - The State provides certain health care and life insurance benefits to all qualified employees. Pursuant to Act 88, SLH 2001, the State contributes to the State of Hawai'i Employer-Union Benefits Trust Fund (EUTF), an agent multiple-employer defined benefit plan that replaced the Hawaii Public Employees Health Fund effective July 1, 2003. The EUTF was established to provide a single delivery system of health benefits for state and county workers, retirees and their dependents. The EUTF issues an annual financial report that is available to the public. The report may be obtained by writing to the EUTF at P.O. Box 2121, Honolulu, Hawaii 96805-2121.

OHA's annual other postemployment benefit (OPEB) cost is allocated by the State based on a percentage of OHA's payroll. The State has elected not to allocate an additional share of its annual required contribution to OHA. As such, OHA has not recorded a liability for OPEB as of June 30, 2017. OHA contributed approximately \$809,000 in OPEB expenses for the fiscal year ended June 30, 2017.

- (3) ***Trustee Retirement Plan*** - OHA's Board of Trustees froze the dormant supplemental retirement plan, the Office of Hawaiian Affairs Supplemental Plan for Trustees ("the Plan"), which was established in 1999 for the benefit of the Trustees. The Plan was designed to qualify as an unfunded deferred compensation plan under ERISA sections 201(1), 301(a)(3), and 401(a)(1), and as a pension for past services under Hawai'i Revised Statutes, Section 235-7(a)(3).

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE M - EMPLOYEE BENEFITS (Continued)

- (4) ***Hi'ilei Aloha LLC and Ho'okele Pono LLC Retirement Plan*** - Hi'ilei Aloha LLC and Ho'okele Pono LLC offer 401(k) profit sharing plans. Employees become eligible upon six (6) months of employment and may contribute to the plan to the extent allowed by law. Hi'ilei Aloha LLC and Ho'okele Pono LLC match employees' contributions up to a specified percentage of salary. For the year ended December 31, 2016, contribution expense amounted to \$70,539 and \$6,380 for Hi'ilei Aloha LLC and Ho'okele Pono LLC, respectively.
- (5) ***Sick Leave*** - Accumulated sick leave amounted to approximately \$3,223,000 as of June 30, 2017. Sick leave accumulates at the rate of 14 hours for each month of service, as defined, without limit. Sick pay can be taken only in the event of illness and is not convertible to pay upon termination of employment. Employees who retire or leave government service in good standing with sixty or more unused sick days are entitled to additional service credit in the the ERS. Accordingly, no liability for sick leave is recorded in the accompanying basic financial statements.

NOTE N - NON-IMPOSED EMPLOYEE FRINGE BENEFITS

Payroll fringe benefit costs for employees of OHA funded by state appropriations (general fund) are assumed by the State and are not charged to OHA's operating funds. These costs, totaling \$235,135 for the year ended June 30, 2017, have been reported as revenues and expenditures of OHA's general fund.

NOTE O - RISK MANAGEMENT AND CONTINGENT LIABILITIES

- (1) ***Workers' Compensation and Other Self-Insurance Liabilities*** - As a state agency, OHA participates in the state's risk management program. The State maintains certain insurance coverage to satisfy bond indenture agreements as well as for other purposes, but is substantially self-insured for all other perils. The State records a liability for risk financing and insurance related losses, including incurred but not reported, if it is determined that a loss has been incurred and the amount can be reasonably estimated. The State retains various risks and insures certain excess layers with commercial insurance companies. In addition to the state coverage, OHA purchases Public Officials and Employment Practices Liability insurance, Bankers' Professional Liability insurance, and general and excess liability for property owned or required by lease agreements entered into.

The State is self-insured for workers' compensation. Accordingly, OHA is liable for workers' compensation claims filed by its employees. Liabilities for workers' compensation claims are established if information indicates that it is probable that liabilities have been incurred and the amount of those claims can be reasonably estimated. Beginning in fiscal year 2013 OHA began purchasing a third party workers' compensation policy, but was still liable for outstanding claims related to periods in which OHA was self-insured. As of June 30, 2017, there are no outstanding claims for which OHA is liable.

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE O - RISK MANAGEMENT AND CONTINGENT LIABILITIES (Continued)

- (2) **Civil Complaints** - In *Akana v. Trustees*, Civil No. 13-1-2485-09, First Circuit Court, on September 13, 2013, the plaintiff has sued OHA trustees claiming that they improperly convened in executive sessions to discuss matters that were not properly discussed in such sessions. OHA believes that the claims have no merit and filed a motion for summary judgment based upon their counterclaim. A hearing on that motion was held on January 29, 2015. On November 13, 2015, the court denied the plaintiff's motion for reconsideration of the order granting summary judgment on the OHA trustees' counterclaim. In November 2017, the parties settled the case resulting in dismissal of all claims.
- (3) **Quiet Title Litigation** - Under HRS 669-3(e), OHA is required to be joined as a defendant in any action to quiet title to an interest in kuleana if an owner of an inheritable interest in the kuleana died intestate or partially intestate and without any heirs or other takers. OHA typically responds in these actions by answering the complaint, seeking discovery and information, reviewing the evidence to determine whether OHA has an escheat interest in the kuleana, and participating in the litigation as necessary.

As of June 30, 2017, OHA is currently evaluating its potential interest in 12 quiet title actions. OHA continues to monitor this action for any potential escheated interest.

- (4) **Litigation** - OHA is a party to legal proceedings and claims that arise in the ordinary course of business. Although occasional adverse decisions (or settlements) may occur, other than the matters described above, OHA believes that the final disposition of such matters will not have a material adverse effect on the financial position or changes in the financial position of OHA.

NOTE P - RELATED PARTY TRANSACTIONS

OHA receives a portion of ceded land revenues from various state agencies. In June 2006, Act 178 was passed which laid the foundation for a quarterly guaranteed ceded land revenue stream of \$3,775,000, totaling \$15,100,000 per year. The total received during the year ended June 30, 2017 was \$15,938,542 of which \$15,100,000 was included as public land trust revenue in the PLTF. The remaining \$838,542 was included as due to the State of Hawai'i in the PLTF.

Besides property leased from DLNR, as discussed in Note K, Executive Order 3724 granted OHA a set aside of land located in Kekaha, Kaua'i (Kekaha Armory), to be used for Hawaiian cultural and educational purposes in which OHA would control and manage the property. OHA is responsible for all maintenance costs associated with the property. Upon cancellation of the Executive Order and/or in the event of non-use for a continuous period of one year, for purposes described above, the property will revert back to DLNR, free of all liens and encumbrances. Unless sooner terminated, OHA leases the Kekaha Armory to a not-for-profit organization for a maximum period of 65 years commencing on November 2000, to utilize such property for purposes in accordance with the Executive Order.

Office of Hawaiian Affairs, State of Hawai'i
NOTES TO FINANCIAL STATEMENTS
June 30, 2017

NOTE P - RELATED PARTY TRANSACTIONS (Continued)

During 2017, OHA made payments of \$809,331 to Hi'ilei Aloha LLC and Ho'okele Pono LLC. These payments were reported as transfers in the fund financial statements. The resulting net transfer out of \$31,085 on the statement of activities is due to the difference in reporting period for the proprietary funds noted in Note A.

In December 2008, OHA and DHHL mutually agreed to a collaborative financing arrangement to provide funds for DHHL's use in the planning, design and construction of infrastructure for homesteads for native Hawaiians on properties owned and controlled by DHHL, in fulfillment of OHA's mission to better the conditions of Native Hawaiians. OHA's obligation under the agreement was to pay DHHL an annual fee not to exceed \$3,000,000 for 30 years. For the year ended June 30, 2017, OHA remitted \$3,000,000 to DHHL and amounts have been presented as beneficiary advocacy expenditures in the PLTF; governmental funds - statement of revenues, expenditures, and changes in fund balances. As of June 30, 2017, OHA has committed \$37,809,788 of its fund balances for future payments to DHHL.

NOTE Q - RESTATEMENT OF NET POSITION

OHA has adopted certain requirements of GASB Statement No. 82, *Pension Issues - an amendment of GASB Statements No. 67, No. 68, and No. 73* (GASBS 82), which are effective for reporting periods beginning after June 15, 2016. The adoption of GASBS 82 resulted in the reclassification of payments made by OHA to satisfy employee (plan member) contribution requirements that were previously deferred in the period for which the contributions were assessed and recorded as expenses in the subsequent fiscal year. These changes have been applied retrospectively by restatement the beginning net position as of June 30, 2016.

The effect on the year ended June 30, 2016 was a decrease to the change in net position for governmental activities of \$627,111 and a decrease in deferred outflows of resources related to pensions and ending net position of \$627,111 for governmental activities.

The impact on the beginning net position is summarized as follows:

	Governmental Activities
Net position at beginning of year, as previously reported	\$ 557,290,409
Prior period restatement:	
Employer paid employee contributions made subsequent to the measurement date	(627,111)
Net position at beginning of year, as restated	\$ 556,663,298

Office of Hawaiian Affairs, State of Hawai'i
SCHEDULE OF OHA'S PROPORTIONATE SHARE OF THE NET PENSION LIABILITY
Last Ten Fiscal Years

Measurement Period Ended	Proportion of the Net Pension Liability	Proportionate Share of the Net Pension Liability	Covered Payroll	Proportionate Share of the Net Pension Liability as a %age of Covered Payroll	Plan Fiduciary Net Position as a %age of the Total Pension Liability
June 30, 2017	0.42%	\$ 32,669,717	\$ 10,027,875	325.79%	51.28%
June 30, 2016	0.43%	\$ 21,773,504	\$ 10,033,406	217.01%	62.42%
June 30, 2015	0.42%	\$ 20,332,122	\$ 9,966,952	204.00%	63.92%
June 30, 2014	0.43%	\$ 22,136,982	\$ 9,270,781	238.78%	57.96%

Note: GASB 67 was implemented in 2014. This schedule is being built prospectively. Ultimately, ten years of data will be presented.

Office of Hawaiian Affairs, State of Hawai'i
SCHEDULE OF CONTRIBUTIONS
Last Ten Fiscal Years

Year Ended	Statutorily Required Contribution	Contributions in Relation to Statutorily Required Contributions	Contribution Deficiency (Excess)	Covered Payroll	Contributions as a %age of Covered Payroll
June 30, 2017	\$ 1,633,906	\$ 1,633,906	\$ --	\$ 10,027,875	16.29%
June 30, 2016	\$ 1,705,768	\$ 1,634,903	\$ 70,865	\$ 10,033,406	17.00%
June 30, 2015	\$ 1,644,547	\$ 1,644,547	\$ --	\$ 9,966,952	16.50%
June 30, 2014	\$ 1,483,325	\$ 1,483,325	\$ --	\$ 9,270,781	16.00%

Note: GASB 67 was implemented in 2014. This schedule is being built prospectively. Ultimately, ten years of data will be presented.

Center for Hawaiian Sovereignty Studies
46-255 Kahuhipa St. Suite 1205
Kane'ohe, HI 96744
(808) 247-7942

Kenneth R. Conklin, Ph.D. Executive Director
e-mail Ken_Conklin@yahoo.com
Unity, Equality, Aloha for all



To: SENATE COMMITTEE ON HAWAIIAN AFFAIRS

For hearing Tuesday, March 19, 2019

Re: SCR 70 / SR 48

REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO CONDUCT AN
INDEPENDENT FISCAL AUDIT OF ALL LIMITED LIABILITY CORPORATIONS
CREATED OR CONTROLLED BY THE OFFICE.

TESTIMONY IN SUPPORT, WITH RECOMMENDED IMPROVEMENTS

The Center for Hawaiian Sovereignty Studies strongly supports the intent of SCR 70 requesting the Office of Hawaiian affairs to conduct an independent fiscal audit of all limited liability corporations created or controlled by the office.

However, the language in this resolution is far too meek and obsequious. Please strengthen it. The 5th whereas clause expressing doubt whether OHA and its LLCs are government agencies is the problem. So to help you understand the importance of that issue, and for future reference, that topic is explained in great detail.

This RESOLUTION REQUESTING an audit should actually be a BILL REQUIRING it.

Although it is too late in the 2019 session to introduce a new bill, it is not too late to achieve that result -- any bill now under consideration to provide funding for OHA can and should be amended to specify that no money shall be transmitted to OHA unless and until OHA has published the official report of an independent fiscal audit of all limited liability corporations created or controlled by OHA, and that any funds that would otherwise be transmitted to OHA shall be reduced by ten times the amount of money that the audit shows was improperly spent or cannot be accounted for.

The 5th whereas clause, page 1 lines 21-26, should be either deleted or revised to avoid raising doubts about whether OHA and its LLCs are government agencies -- the clause should be strengthened to put the legislature on record as affirming that OHA and all its LLCs are indeed government agencies and therefore are subject to laws such as the State Procurement Code, State Ethics Code, Sunshine Law, and Uniform Information Practices Act. Even if this is merely a resolution requesting, and not a bill requiring; the legislature can certainly use even a humble resolution to assert its strongly held opinion that OHA and all its LLCs are indeed government agencies -- an opinion which will be future evidence of legislative intent even on other topics.

PROOF THAT OHA IS A STATE GOVERNMENT AGENCY CAN BE FOUND IN THE FACT THAT THE LEGISLATURE HAS COMMANDED OHA TO SPEND TRUST FUND MONEY FOR SPECIFIC PURPOSES, AND OHA OBEDIENTLY COMPLIED.

One proof that OHA is a State government agency is found in the fact that the Legislature has the power to command OHA to spend money for particular projects which the Legislature mandates. For example, HB1745 and its companion SB2134 in the regular session of year

2018 ordered OHA to spend OHA's own ceded land trust funds to pay for materials and staffing to greatly enlarge the number of state employees required to take a course organized by OHA to indoctrinate those employees with OHA's views regarding special rights for ethnic Hawaiians. The bills in 2018 cited a law enacted in 2015 that created this course, and made clear that the Legislature is mandating OHA to spend its own trust fund money for specific purposes:

"In Act 169, Session Laws of Hawaii 2015, the legislature found that pursuant to Hawaii's constitution, statutes, and case law, the State recognizes a mandate to protect native Hawaiian and Hawaiian traditional and customary rights. Accordingly, Act 169 amended chapter 10, Hawaii Revised Statutes, TO REQUIRE THE OFFICE OF HAWAIIAN AFFAIRS TO ESTABLISH, DESIGN, AND ADMINISTER A TRAINING COURSE on native Hawaiian and Hawaiian rights, the sources of these rights, and how infringement of these rights affects the native Hawaiian and Hawaiian people. ... The legislature finds that the training course required by Act 169 has been implemented ... the purpose of this [new 2018] Act is to require certain additional government decision-makers at both the state and county levels to attend the training established by Act 169. ... THE OFFICE OF HAWAIIAN AFFAIRS, AT ITS OWN EXPENSE, SHALL ESTABLISH, DESIGN, AND ADMINISTER A TRAINING COURSE relating to native Hawaiian and Hawaiian traditional and customary rights, native Hawaiian and Hawaiian natural resource protection and access rights, and the public trust, including the State's trust responsibility. The training course shall include: ... THE OFFICE OF HAWAIIAN AFFAIRS, AT ITS OWN EXPENSE, SHALL DEVELOP THE METHODS AND PREPARE ANY MATERIALS NECESSARY TO IMPLEMENT THE TRAINING COURSE, ADMINISTER THE TRAINING COURSE, AND NOTIFY EACH PERSON ..." [emphasis mine]

IT IS LONG OVERDUE FOR THE LEGISLATURE TO REASSERT ITS
RIGHTFUL AUTHORITY OVER OHA, WHICH HAS A LONG HISTORY OF
ASSERTING INDEPENDENCE FROM STATE LAWS

On August 10, 2011 the online newspaper "Civil Beat" published an article entitled "OHA Employees Were Public Last Year -- But Not This Year?"

Civil Beat raised the issue (again!) because it wants information about the salaries of employees of the State of Hawaii Office of Hawaiian Affairs, in conjunction with CB's extensive research and publication of salary information about all state government employees.

In 2010 OHA refused to disclose such data. Office of Information Practices acting director Cathy Takase ruled that OHA is a state agency and must disclose such information on the same basis as any other state agency. But then Governor Abercrombie fired Takase over Takase's insistence that Abercrombie must disclose the names of nominees for a position on the Supreme Court (reminiscent of President Nixon's Saturday Night Massacre when he fired Watergate prosecutor Archibald Cox for demanding secret White House tapes).

So in 2011 OHA was again stonewalling in hopes that Abercrombie's new OIP director Cheryl Kakazu Park would issue a different ruling on the question whether OHA is a state agency and therefore must disclose salary information. For details see the Civil Beat article at <http://www.civilbeat.com/posts/2011/08/10/12472-oha-employees-were-public-last-year-but-not-this-year/>

See also a followup news report on August 29, 2011 where Civil Beat once again raises the issue of OHA employees being public employees, and once again criticized OHA for stonewalling and criticized OIP for letting OHA get away with it.

<http://www.civilbeat.com/posts/2011/08/29/12666-oha-takes-second-shot-at-claiming-its-employees-arent-public/>

IT IS ABSURD FOR OHA TO CLAIM THAT IT IS A STATE GOVERNMENT AGENCY ONLY WHEN IT SPENDS MONEY APPROPRIATED FOR OPERATING EXPENSES BUT IT IS NOT A STATE AGENCY WHEN IT SPENDS MONEY FROM ITS "TRUST FUND" (HOARDED CASH STASH OF CEDED LANDS REVENUE)

OHA likes to make the distinction between the money it receives in annual legislative appropriations of tax dollars (less than 10% of the money it gets), vs. revenues from the ceded lands (more than 90% of the money it gets).

Here's a quote which was seen on the OHA website here (but later deleted):

[http://www.oha.org/index.php?](http://www.oha.org/index.php?option=com_content&task=view&id=242&Itemid=152)

[option=com_content&task=view&id=242&Itemid=152](http://www.oha.org/index.php?option=com_content&task=view&id=242&Itemid=152)

The quote was also repeated on the Kau Inoa website here (but later deleted):

<http://www.kauinoa.org/faq.php>

"When OHA is spending State general fund revenues, it needs to operate as a state agency and, as such, must comply with various state laws and regulations. However, when OHA operates as a trust, its allegiance is to its beneficiaries."

It is ludicrous to claim that an organization is both a state agency and a private trust, depending on where the money comes from on different occasions. Various novels feature schizophrenic characters with split personalities: for example, Dr. Jekyll and Mr. Hyde; or The Three Faces of Eve. But in real life, there's only one OHA. If the source of money or property were the determining factor in deciding whether an organization is a government agency or a private trust, then the Boy Scouts would have to be called a government agency whenever they make use of the camp at the upper end of Pupukea Road whose land was donated to them by the government; and the City of Honolulu would be a private trust whenever it uses lands and memorial statues that were donated to the City from private sources.

The OHA "trustees" (a terrible misnomer) receive their salaries and benefits from the State of Hawaii just like all other elected officials. They are elected on the ballot in the statewide general election. If there's a vacancy on the board through death or resignation, and if the board is unable to agree on a replacement, then the Governor appoints one. In February 2000, the U.S. Supreme Court ruled that the racial restriction on who can vote in OHA elections is unconstitutional. One result was that Governor Cayetano forced all nine OHA trustees to resign (because they had been illegally elected). The Governor then appointed temporary replacements for all of them, to serve until the elections later that year. Clearly, OHA is a state agency, as shown by the fact that the Governor seized control of it and that its board of directors are elected on the ballot in the state election.

There is no doubt whatsoever that OHA is an agency of the government of the State of Hawaii.

Therefore there is no doubt that the State legislature has the power, jurisdiction, and authority to ORDER OHA to pay for and perform an audit of the LLC entities which it has created, and to publish a report about the audit to be made available for scrutiny by the news media and the legislature. Indeed, the LLCs themselves are government entities -- they were created by OHA, received their funding from OHA, and have their administrative officers appointed by OHA's CEO.

=====

THE U.S. SUPREME COURT HAS RULED IN AT LEAST THREE DIFFERENT CASES, BETWEEN YEARS 2000 TO 2016, THAT THE OFFICE OF HAWAIIAN AFFAIRS IS INDEED A STATE GOVERNMENT AGENCY

AND IN THE MOST RECENT OF THOSE CASES THE SUPREME COURT RULED THAT A SO-CALLED "PRIVATE" ENTITY CREATED AND FUNDED BY OHA [JUST LIKE THE LLCs] IS A GOVERNMENT AGENCY AND THEREFORE CANNOT HOLD AN ELECTION WHOSE VOTERS ARE RESTRICTED BY RACE.

1. RICE V. CAYETANO, 2000, REGARDING THE RIGHT OF ALL REGISTERED VOTERS, REGARDLESS OF RACE, TO VOTE FOR BOARD MEMBERS OF THE OFFICE OF HAWAIIAN AFFAIRS

<http://cdn.ca9.uscourts.gov/datastore/opinions/2016/08/29/15-17134.pdf>

RICE v. CAYETANO 528 U.S. 495 (2000)
Decided February 23, 2000

<https://www.law.cornell.edu/supct/html/98-818.ZS.html>

Syllabus

Congress may not authorize a State to establish a voting scheme that limits the electorate for its public officials to a class of tribal Indians to the exclusion of all non-Indian citizens. The elections for OHA trustee are elections of the State, not of a separate quasi-sovereign, and they are elections to which the Fifteenth Amendment applies

<https://www.law.cornell.edu/supct/pdf/98-818P.ZO>

pg 1

"The Hawaiian Constitution limits the right to vote for nine trustees chosen in a statewide election. The trustees compose the governing authority of a state agency known as the Office of Hawaiian Affairs, or OHA. Haw. Const., Art. XII, §5."

pg 24

"OHA is a state agency, established by the State Constitution, responsible for the administration of state laws and obligations. See Haw. Const., Art. XII, §§5–6. The Hawaiian Legislature has declared that OHA exists to serve “as the principal public agency in th[e] State responsible for the performance, development, and coordination of programs and activities relating to native Hawaiians and Hawaiians.” Haw. Rev. Stat. §10–3(3)); see also Lodging by Petitioner, Tab 6, OHA Annual Report 1993–94, p. 5 (May 27, 1994)

(admitting that “OHA is technically a part of the Hawai’i state government,” while asserting that “it operates as a semi-autonomous entity”)

p.25

"Although it is apparent that OHA has a unique position under state law, it is just as apparent that it remains an arm of the State."

HAWAII V. OFFICE OF HAWAIIAN AFFAIRS, 2009, REGARDING THE RIGHT OF THE STATE TO SELL CEDED LANDS AND THE INEFFECTIVENESS OF THE APOLOGY RESOLUTION TO BLOCK SUCH SALES

<https://www.supremecourt.gov/opinions/08pdf/07-1372.pdf>

Hawaii v. Office of Hawaiian Affairs, 556 U.S. 163 (2009)

No. 07-1372. Argued February 25, 2009—Decided March 31, 2009

The Hawaii State Supreme Court had ruled unanimously, 5-0, that the State of Hawaii cannot sell any parcel of ceded lands until such time as a final settlement is reached between native Hawaiians and the State regarding ownership of the former government and crown lands of the Kingdom of Hawaii; because the U.S. apology resolution in 1993 stated that the overthrow of the monarchy had been illegal and would not have occurred without U.S. intervention. But the State of Hawaii appealed directly to the U.S. Supreme Court, which ruled unanimously, 9-0, that the ceded lands rightfully belong to the State of Hawaii in fee simple absolute, under terms of the Statehood Admissions Act of 1959; and that the federal apology resolution of 1993 has no force or effect to retroactively change the terms of that transfer of lands.

"JUSTICE ALITO delivered the opinion of the Court.

This case presents the question whether Congress stripped the State of Hawaii of its authority to alienate its sovereign territory by passing a joint resolution to apologize for the role that the United States played in overthrowing the Hawaiian monarchy in the late 19th century. Relying on Congress' joint resolution, the Supreme Court of Hawaii permanently enjoined the State from alienating certain of its lands, pending resolution of native Hawaiians' land claims that the court described as "unrelinquished." We reverse."

This case made it abundantly clear that the State of Hawaii is the rightful owner of its public lands, and that OHA is a state agency which must obey state law and has no right to interfere with state government decisions to sell public lands.

AKINA V. HAWAII, 2015-2016, PREVENTING A NON-PROFIT "PRIVATE" CORPORATION FINANCED BY OHA FROM COMPLETING A RACE-BASED ELECTION, BECAUSE THE NON-PROFIT CONTRACTOR WAS A GOVERNMENT AGENCY BECAUSE IT WAS FUNDED AND DIRECTED BY OHA WHICH IS A GOVERNMENT AGENCY (see Rice v. Cayetano)

On July 6, 2011 Hawaii Governor Abercrombie signed Act 195 (formerly SB1250, Legislature regular session of 2011) which established a Native Hawaiian Roll Commission (thus an agency of the State government) whose members would be appointed by the Governor, whose purpose would be to compile a list of qualified "Native Hawaiians" who would then be allowed to vote in an election of delegates to a "Constitutional convention" for the purpose of writing a Constitution for a Hawaiian tribe, which Constitution would then be ratified by a vote of the Native Hawaiians who had registered with the Roll Commission. Governor Abercrombie then appointed the members of the Roll Commission, including former Governor John Waihe'e III as its chairman. OHA (state government agency) gave many millions of dollars (government money from ceded land revenue) to the Roll Commission during the next several years. A non-profit corporation called "Na'i Aupuni" [which means "Conqueror" and was a title used by

King Kamehameha The Great] was created by a group of "Native Hawaiians" under the guidance of OHA and the Roll Commission. The Roll Commission hired Na'i Aupuni as a contractor to organize, publicize, and conduct an election of delegates to the Constitutional convention with the voters being people who had signed up with the Roll Commission. However, the Grassroot Institute of Hawaii headed by President Keli'i Akina, with help from the nationally famous Judicial Watch organization, filed a federal lawsuit to block the election. The lawsuit was dismissed by the U.S. District Court in Honolulu, and the dismissal was upheld by the 9th Circuit Court of Appeals. But as the time grew near for the votes to be counted in the election of Convention delegates, Grassroot Institute and Judicial Watch filed an emergency request with the U.S. Supreme Court to block the counting and/or publication of election results. Supreme Court Justice Kennedy (author of the 2000 decision in *Rice v. Cayetano*, who was also the Justice overseeing emergencies in the 9th Circuit) issued the temporary injunction; and a few days later the full Supreme Court upheld the injunction by vote of 5-4. The case was remanded to the 9th Circuit for further proceedings. Meanwhile Na'i Aupuni, now prohibited from completing the election or publishing the results, declared that all the candidates in the election would be seated as delegates to the convention. The convention then met for the entire month of February 2016, with salaries and expenses paid by OHA, and produced a Constitution which the delegates approved. Na'i Aupuni declared that its work was finished, and dissolved itself. Later in 2016 the 9th Circuit Court ruled that the lawsuit *Akina v. Hawaii* was now moot because Na'i Aupuni no longer existed. On October 14, 2016, the U.S. Department of Interior proclaimed a law in the Federal Register -- a lengthy, detailed new federal regulation, to take effect on November 14 -- providing a process whereby a Hawaiian tribe could obtain federal recognition by creating a Constitution and holding an election to ratify it, and getting it approved by the Secretary of Interior. So far as the public has been informed (or not informed!) no further action has been taken since the election of President Trump in November 2016.

Throughout all the court proceedings in the District Court, the 9th Circuit Court, and the Supreme Court, the focus of attention was on the question whether OHA is an agency of the State government, and especially whether Na'i Aupuni was a government agency. Because according to the decision in Rice v. Cayetano, it is a violation of the 15th Amendment for a State government, or any agency of a State government, to hold an election where there is a racial requirement or racial restriction on who can vote. The U.S. Supreme Court, in issuing its emergency injunction against the Na'i Aupuni election, clearly relied on the precedent of Rice v. Cayetano, and clearly concluded that Na'i Aupuni was a subsidiary of the Roll Commission, and OHA, and Act 195 (2011) of the Hawaii legislature. Follow the money. Follow the chain of command. If it looks like a duck, walks like a duck, quacks like a duck; then ...

The final ruling by the 9th Circuit Court of Appeals on remand from the Supreme Court, was handed down on August 29, 2016. It dismissed the lawsuit for being moot after Na'i Aupuni dissolved itself. The decision provides useful details, and can be viewed here:

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

No. 15-17453

D.C. No. 1:15-cv-00322- JMS-BMK

<http://cdn.ca9.uscourts.gov/datastore/opinions/2016/08/29/15-17134.pdf>

Akina v. Hawaii – The Documents are collected here by the Grassroot Institute of Hawaii.

<http://www.grassrootinstitute.org/2015/10/akina-v-hawaii-the-documents/>

Further information including full text of news reports and commentary is here:

History of efforts to create a Hawaiian tribe during the 114th Congress (January 2015 through December 2016), including efforts to create a state-recognized tribe and efforts to get federal recognition through administrative rule changes, executive order, or Congressional legislation

<http://big11a.angelfire.com/AkakaHist114thCong.html>