Written Testimony by Email
Meeting of the Board of Trustees – November 2, 2026

Testimony - Joy Loo

Aloha, my name is Joy Loo, I am from Hilo, Hawai‘i, & I support Summer Sylva for OHA CEO. I was at a listening session that she spoke at last November at UH Hilo concerning Pōhakuloa. I found her to be sincere & inclusive as it pertains to Pōhakuloa. I believe her to be sincere in land & water issues for our native people. I would trust her to have a seat at any table on our behalf & I hope you join me in support of Summer Sylva.

I would also ask you to reconsider your compensation package for the CEO position as native people suffer with homeless & hopelessness in Ohana. Paying someone 260k is not for the betterment of the Hawaiian people. Read Kai Markell‘s post on this subject, please.

Mahalo for your consideration.

Joy A Whitmarsh Loo
[redacted]

Testifier - Ilima Decosta

Aloha mai OHA Chair Kahele and OHA Trustees,

Mahalo for the opportunity to provide my mana'o in support of the election of Todd Apo, as the next OHA CEO.

To begin, I want to call out any lateral violence or name calling that we have witnessed and experienced related to the OHA CEO nomination and election process. I strongly condemn personal attacks against nominees using childish methods of ridicule to demean any nominee.

Such methods are unprofessional, unethical and unbecoming of any OHA trustee or kanaka leader. It's exactly this type of behavior that erodes the entire public trust in OHA and other native Hawaiian serving entities. As kanaka ʻoiwi, we can do better.

As you well know, the Office of Hawaiian Affairs manages a sovereign wealth fund known as the Native Hawaiian Trust Fund, valued at roughly **$600 million**.

Because OHA does not receive a massive, recurring stream of land-rent money from the federal government, its budget relies heavily on investment returns and a statutory $21.5 million annual share of Public Land Trust revenues from the state.

According to OHA's strategic spending plans, those funds are strictly divided into two categories:

- **Legacy Land & Systemic Advocacy (The Sylva Focus):** Roughly **15% to 20%** of OHA's efforts and legal resources are directed toward protecting *ʻāina*, cultural site preservation, and fighting legal battles over resource management. This spending protects the physical homeland and is foundational to preventing the erasure of the Hawaiian people. But it's not the full mission or piece of the pie.
- **Direct Beneficiary Grants (The Apo Focus):** The remaining **80%+** of OHA's operational budget is distributed directly into community programs designed to stabilize families today. This money is broken down into specific pillars:
    - **Housing:** Low-interest home loans and emergency rental assistance to keep Native Hawaiians from being priced out of the islands.
    - **Education:** Higher education scholarships and funding for Hawaiian-focused charter schools (*Kula Kaiapuni*).
    - **Health & Economic Stability:** Grants for Native-owned small businesses, healthcare clinics, and food sustainability programs.

Point 1:

Under Chapter 10 of the Hawaiʻi Revised Statutes, OHA's mandate are to:

- **Better the conditions** of Native Hawaiians.
- **Assess the policies and practices of other state agencies** to ensure they protect Hawaiian rights. Because the State of Hawaiʻi—not OHA—is the entity that signs the

leases with the military, OHA cannot legally stop or permit the lease renewal on its own; OHA does not have the power to evict the Army.

Therefore, the current "conditional lease" discussions is really OHA trying to **insert itself into a negotiation where it doesn't officially have a seat.** By pushing the state to demand strict environmental conditions, OHA is trying to use the state as a proxy to protect the ‘aina, because OHA lacks the direct authority to do it alone.

I want Pohakuloa to be cleaned up, too. But, at this rate and based on the military’s own track record, the likelihood of that occurring is undermined by the facts as we know it.

Including the fact that the military hasn’t completed clean up of most of the areas under their control, including Kaho’olawe, Makua, Waiahole-Waikane, Kane’ohe Bay or Red Hill. There is still unexploded ornance that is out there, today. When is the military going to clean up that?

In fact, in some cases, like Red Hill, we have been told to expect to experience “half life” impacts of toxic chemicals. These toxins are so embedded in our ‘aina, wai and kai, that the Board of Water Supply is seeking to develop desalination plants.

This is a dangerous situation for Oahu to be in and its continuance without compensation allows the US government to get away with free land and free polluting. Kanaka ‘oiwi and the people of Hawai’i will never benefit under this scheme.

Instead of just some future promise of a “clean up”, OHA is empowered to completely push back against military lease renewals and call the land condemnation bluff. OHA could leverage the potential adverse international impact it will have on the US government to negotiate a high-value commercial lease for Pōhakuloa.

Under such a scenario, rather than fighting a protracted legal battle over environmental conditions, the trust fund could double.

An extra $20 million to $50 million a year in military rent could instantly fund thousands of new homes and full-ride scholarships, fulfilling the direct beneficiary mission on a massive scale. Additionally, the state could still include strict “clean as you go” policies within the renegotiated leases. It doesn’t have to be an either/or.

With the Sylva style of focus, we would lose out on potentially millions of dollars in revenue and also never get the full remediation everyone desires. It’s a noble cause, but not one that the beneficiaries can take to the bank or feed their kids with.

Point 2:

Sylva’s 20+ year career is firmly rooted in **public interest law, indigenous advocacy, and government policy.**

Her experience in managing assets and housing is limited strictly to the public and nonprofit sectors**.**

Sylva does not come from a private banking, investment, or hedge fund background. Her wealth management experience stems entirely from her current role as **OHA's Interim CEO**, where she works with the Board of Trustees to oversee the stewardship of the **Native Hawaiian Trust Fund**, which approaches **$1 billion.**

Before running OHA, Sylva's career focused on defending resources from commercial monetization rather than expanding them through private market development. Firmly in that smaller 15-20% bucket of responsibilities.

But what about the other 80-85% of the OHA mission and kuleana, how does Sylva plan to lead development and wealth management without a background in these areas?

Who will guide her?

Does any trustee have this expertise?

Will trustees be held individually and severally liable if/when military clean ups don't occur and the promise of future actions becomes a block to financial responsibility?

Will trustees be held individually and severally liable if/when there is an opportunity for development, and they fumble it because of poor negotiation skills, as we saw with the Kakaako Makai land deal, which is statutorily encumbered from being useful to kanaka ʻoiwi who need homes.

Presently, ~60% of persons living unsheltered are kanaka ʻoiwi - this is double the count almost a decade ago. That is an incredible increase and no one is talking about it. This goes directly to the need to quickly develop and deliver a range of housing options for kanaka ʻoiwi. This could include the restoration of existing commercial buildings and would be aided by someone with Apo's background.

The environmental focus Sylva brings to the OHA team is laudable and I appreciate her long history as a fellow kia'i. I respect her environmental track record and pray OHA could develop a position that allows Sylva to leverage her unique skill sets to benefit the organization and beneficiaries.

That said, is it considered fiscally responsible for the Board to plan to have a CEO who lacks the depth and breadth of understanding necessary to handle the full range of fiduciary aspects of the job?

Sylva hasn't really been tested yet, is this a good time to gamble so much in existing and prospective OHA (taxpayer) resources on an untested, yet noble cause?

This is a serious nomination and a serious vote - it has potentially widespread and long standing ramifications.

Sylva has said herself how critical this moment in time is for kanaka ʻoiwi self determination. If that's the case, why is she ignoring her own blind spot and potentially risking the economic futures of OHA and its beneficiaries, by focusing on the smaller portion of the OHA mission?

Doesn't Sylva care that neither she nor her Board supporters have the financial acumen to handle the 80-85% of the job description?

Is this responsible leadership, to push to have a job that you know you're not fully qualified to maintain?

Is that how the private sectors handle their CEO appointments, by selecting the nominee with the narrowest focus and least financial competence?

Sylva has no background managing commercial real estate portfolios, corporate zoning, or private land acquisition.

Instead, Sylva's land expertise is strictly **litigious and protective:**

- **Native Hawaiian Legal Corporation (NHLC):** As Executive Director, she spent years directing public-interest litigation to secure Native Hawaiian land titles, protect cultural resources, and win landmark water-rights battles against large commercial entities.
- **U.S. Department of the Interior:** She served as the Senior Advisor for Native Hawaiian Affairs, working on federal-level indigenous policy and land stewardship rather than commercial development.

Sylva has never worked as a real estate developer, general contractor, or private housing executive. Her only direct exposure to large-scale housing initiatives occurred in the public sector during crises. Sylva served as a **Senior FEMA Advisor during the Maui wildfire response**, where she helped navigate emergency temporary housing logistics and federal relief policy for displaced residents.

Point 3:
Democracy demands respecting the initial 5-4 vote and rejecting the post election protests by persons who aren't looking at OHA's overall mission.

The main OHA mission is not to insert itself into the Pōhakuloa military lease negotiations when the kanaka ʻoiwi community hasn't asked OHA to do so. At the present moment, with so much unsettling activity coming out of OHA, it's hard to imagine leaders can really believe they have a public mandate to speak on behalf of kanaka ʻoiwi.

If any OHA trustee decides to use the most recent protest as a rationale for changing their vote and essentially upending a legitimate vote, then OHA is conceding to all those who won't accept the democratic process and who want to change things, when they don't like the results.

That's not democracy.

For these 3 points, I humbly ask the board to affirm the election results from October 21, 2026 and to please seat Todd Apo as the next duly elected CEO of OHA.

Mahalo,
Ilima DeCosta

Testimony – Lu Ann Lanford-Faborito

PLEASE oppose the appointment for Todd Apo as CEO for OHA.

Lu Ann Lankford-Faborito

Testimony – Shae Kamakaala

Aloha mai kākou,

Respectfully submitting testimony regarding Nov. 2, 2026 Board of Trustee Agenda item A1, in strong support for Summer Sylva for OHA CEO as she is the right leader for these times. Todd Apo is a respected colleague.

For those Trustees who may feel indifferent to Summer Sylva as OHA CEO, perhaps there are ways to seek mutually agreeable opportunities for executive coaching and capacity development as for anyone, the OHA CEO position is great kuleana. Indeed for OHA Trustees as well. Hearing stories first hand from Aunty Frenchie DeSoto on the beach at Makaha, how she first learned of ceded lands revenues as a janitor at the State Capitol to the 1978 Constitutional Amendment—mahalo for continuing a strong legacy that ʻāina holds us accountable to.

Mahalo for your time reviewing testimonies.

Mālama pono,
Shae Kamakaala

Testimony – Stephen K S Loo

As a beneficiary, I urge each OHA trustee to cast their respective vote for the next CEO for the candidate who is most equipped to effectively deal with the overriding issues facing the Office of Hawaiian Affairs which is the threat to the mission of the organization to serve Kanaka Maoli who have been marginalized since the Bayonet Constitution. While the development of Kaka'ako Makai is an important issue, it is NOT the predominant threat to us as a people. Do your due diligence by consulting with your constituents as well as your own research into each candidate's background and make your decision on what makes the most sense for our lahui. The singular issue of the development of Kaka'ako Makai is a secondary issue to the very survival of the Office of Hawaiian Affairs as an organization that serves the Kanaka Maoli people. The candidate that is best suited for this role is Summer Sylva.

Respectively submitted in Aloha 'Aina,

Stephen K S Loo

Mahalo,

Steve