



The nine contestants of the 31st Miss Pacific Islands Pageant being held in Nadi, Fiji this week. They are pictured here after attending a Sunday service at the International Full Gospel Church in Nadi. Miss American Samoa, Matauaina Gwendolyn To'omalatai is seen second from right. Read story inside for details. [photo: MPPIP]



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Christmas Countdown: 19 Days

HOLIDAY EVENTS

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Jury trial continues today for alleged drug dealer

DEFENSE ATTORNEY BASHES THE CREDIBILITY OF THE DPS INVESTIGATING OFFICER

by Ausage Fausia
Samoa News Reporter

The jury trial of an alleged drug dealer, who was charged last year with one count each of unlawful possession of methamphetamine and unlawful distribution of methamphetamine — both felonies — began yesterday in the High Court.

Falaniko Stowers, who is also identified as a fafaine in court documents — aka Nicole, is still in custody, unable to post a \$10,000 surety bond. A six-member jury — four females and two males — was selected on Monday.

During opening statements, prosecutor Woodrow Pengelly explained to the jurors, what the government is calling the “facts of the case”, while Public Defender Douglas Fiaui provided background of the investigating officer and the

way he conducted his investigation. Fiaui also provided a brief history of his client, Nicole.

PROSECUTOR'S OPENING REMARKS

Pengelly, who referred to the fa'afaine defendant as a ‘he’ during court proceedings, told the jury, that the case is all about drug possession and drug dealing. He said the government intends to call six witnesses who will provide testimony during the trial.

The government claims that in Nov. 2016, the defendant knowingly possessed meth. The prosecutor said the evidence will prove that the reason Stowers was in possession of drugs was because he was engaged in the business of selling meth.

Pengelly assured the jury that the government's first witness, who is the defendant's neighbor, will testify that he saw vehicles and
(Continued on page 7)



During the Matafao Elementary School, Grade 8, Samoan Day celebration, on Thursday, Nov. 30, 2017 — students doing the ‘sasa’ — a traditional Samoan dance. [photo: Leua Aiono Frost]

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(Continued on page 8)



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Tofaeono asking for reconsideration
in court decision on CCCAS case

by Ausage Fausia
Samoa News Reporter

Rev. Amaama Tofaeono and his wife Joan Aleluia Tofaeono, through their attorney, Charles V. Ala’ilima, are asking the Trial Division of the High Court to reconsider its Oct. 2nd decision — dismissing their tort claims against the individuals named in their suit, saying the court has mistakenly determined that CCCAS and individual defendants “were one and the same” — and that these individuals are not ‘personally’ liable.

Tofaeono and his wife Joan were named as defendants in a complaint filed by the Congregational Christian Church of American Samoa (CCCAS) in May of this year, when Tofaeono refused to vacate the CCCAS housing he and his wife occupied, after his ministerial duties, including his CCCAS General Secretary post, were suspended for a certain amount of time.

(See Samoa News, Monday, Dec. 04, 2017 issue for report on the court’s dismissal of the defendant’s tort claims)

MEMORANDUM

According to the defendants’ motion, the court has already issued its declaratory findings that Amaama Tofaeono was an at-will employee of CCCAS and had been discharged from his post as General Secretary of CCCAS, elected to a four-year term by the CCCAS General Assembly by virtue of his subsequent suspension as a minister, issued by the CCCAS Elders’ Committee.

“These declaratory findings and conclusions arising from such findings are the subject matters of defendants’ appeal of the summary eviction order of the Court. In dismissing the defendant’s contractual tortious interference counter-claims against the plaintiffs the court appears to be re-enforcing the declaratory finding and conclusions it reached earlier that the defendant, Amaama, has no contractual employment rights

associated with his election as General Secretary and ... to suspend him operated as a de facto removal on his ordination as a minister and consequently disqualifying him as General Secretary.”

Defendants’ believe there were errors in the court’s finding and legal conclusions on these issues.

According to the defendants, “The court determined that the individual counter-defendant and the CCCAS were one and the same and therefore there was no third-party actor who could interfere with an employee claim.

“While the court could properly dismiss the CCCAS from a tortious interference with contract counter-claim, it would not be appropriate to dismiss the individual defendants from personal liability at least until there is a clear finding supported on the merits that they were in fact acting within the scope of their CCCAS authority.

“If the court is unable to make the distinction from the pleadings as presented, it would be more appropriate at this stage of the proceedings for the court to grant time to amend that pleading to ensure clarity as to the personal capacities in which the individual defendants are being sued.”

INTERLOCUTORY
APPEAL

The defendants’ appeal addresses both the jurisdictional issue of whether this dispute over the occupancy of the structure was appropriately before the court and on the merits of whether the court’s declaratory findings and legal conclusions relevant to Amaama’s employment and division of authority under the CCCAS constitution were correct. The defendants believe the court’s order dismissing the two counterclaims relate to the context of constitutional deference granted by courts of religious corporate authorities and contractual employment rights. It says in its rulings the court has

been inconsistent in regards to saying it does not have the constitutional authority to rule, and then interprets the structure and authority in the CCCAS to make its rulings.

As such, the court has now reduced the ongoing case simply to common law and constitutional libel claims.

It has dismissed its authority to review on any issues relating to church structure and organization in so far as it relates to Amaama’s ordination as a minister of his continued employment as the elected General Secretary.

PLAINTIFFS’ MOTION

Attorney for the plaintiffs, Gwen Tauiliili-Langkilde stated in her opposition motion that reconsideration is appropriate if the trial court is presented with newly discovered evidence; committed clear error or the initial decision was manifestly unjust, or, if there is an intervening change in controlling the law.

In fact, she says, it is not altogether clear what the defendants are asking the Court to reconsider. Plaintiffs state the defendants did not show any facts to support a plausible claim against plaintiffs Mamoe, Aofia, and Faalevao as agents of CCCAS. Furthermore, having failed to seek to amend their pleading prior to this Court’s ruling, they should not now be allowed to amend their pleading.

SLANDER

It should be noted that on the issue of slander, the Court said Amaama’s assertions meet the pleading standard for slander and that’s why the plaintiffs’ motion to dismiss the counter claim for slander is denied.

Amaama claims that the same slanderous statements made by the plaintiffs — that he was unfaithful and/or abusive to his family — also violate the dignity of the individual clause of the Constitution. The Court agreed and for that reason, they denied the plaintiffs’ motion to dismiss the defendants’ counter-claim.

Mexican acquitted of murder
faces gun, immigration charges

SAN FRANCISCO (AP) — U.S. authorities on Tuesday charged a Mexican man with new immigration and gun violations less than a week after a San Francisco jury acquitted him of murder for the shooting death of Kate Steinle, a case that helped fuel a fierce national debate on immigration.

A federal grand jury in San Francisco indicted Jose Ines Garcia Zarate Tuesday on one count each of felon in possession of a firearm and of “being an alien illegally and unlawfully in the United States” in possession of a gun and ammunition,

according to the indictment.

A San Francisco jury last week convicted him of a state charge of felon in possession of a firearm after acquitting him of murder and assault for the July 1, 2015 shooting.

The state conviction carries a maximum sentence of three years in jail. He has been in jail since the day of the shooting. His public defender Matt Gonzalez said Garcia Zarate will ask a judge to toss out the state conviction. Garcia Zarate is to be sentenced in state court Dec. 14.

San Francisco District Attorney George Gascon on

Tuesday defended his office’s handling of the case. He said he still believed Garcia Zarate should have been convicted of Steinle’s murder.

Legal experts have said prosecutors overreached by asking for a first-degree murder conviction because the fatal shot ricocheted off the ground, supporting Garcia Zarate’s defense that the shooting was an accident. Jurors could also have convicted Garcia Zarate of second-degree murder or involuntary manslaughter but chose not to.

(Continued on page 7)

Australian lawmaker says uncertainty won't stop gay marriage

CANBERRA, Australia (AP) — Australia's Parliament would legalize gay marriage this week despite some lawmakers' concerns about whether Australian cake makers should have to cater for same-sex weddings, a leading opponent of marriage equality said on Wednesday.

The U.S. Supreme Court heard arguments Tuesday over whether a baker who refused to provide a wedding cake for a gay couple was exercising artistic freedom and was exempt from Colorado anti-discrimination laws. Drafting such measures into the Australian bill would delay it, but several gay marriage opponents have told Parliament this week they would not stand in the way of marriage equality because the Australian public clearly supported it in a recent postal ballot.

Government minister Peter Dutton, a leader among hard-right lawmakers in the conservative government, said his fellow leading gay-marriage opponents in Parliament agree they should not stop the bill from becoming law while arguing over protecting views of gay-marriage opponents.

"The same-sex marriage bill will pass this week, there's no doubt in my mind about that, but we do need to have a sensible, mature discussion around where we can get those

appropriate measures in place" to protect opponents' rights, Dutton told reporters.

"This debate for me has never been about homophobia, it's never been about denying the love in a same-sex relationship, never been about discriminating on any basis. The question though is we need to get the balances right in terms of the protections of those people who have fundamental beliefs based on religion or otherwise," he added. Dutton declined to comment on the U.S. baker's case, saying legal rights and protections there were different.

"I don't support discrimination; I don't want to see a situation also though where people don't have the ability to express their own views," Dutton said.

The current bill allows churches and religious organizations to boycott gay weddings without violating Australian anti-discrimination laws. Several amendments being proposed would expand those exemptions, but Dutton and other lawmakers expect all amendments would be rejected.

The government has appointed a panel to examine how to safeguard religious freedoms once gay marriage was a reality in Australia. Dutton said none of his allies intended to delay gay marriage until those safeguards were decided.



Marriage equality advocates, from left, Same James, Tanna Winter and Peter Kensey celebrate at a bar in Canberra, Australia Wednesday, Nov. 15, 2017, after Australians supported gay marriage in a postal survey. The Australian Bureau of Statistics says 62 percent of registered voters who responded in the unprecedented survey favored reform, ensuring that ensures Parliament will consider legalizing same-sex weddings this year.

(AP Photo/Rod McGuirk)



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American Samoa is on EU's blacklist of "non-cooperative" tax jurisdictions

by Fili Sagapolutele
Samoa News Correspondent

American Samoa is among the 17 countries and territories now listed on the European Union's "blacklist" of "non-cooperative tax jurisdiction," according to the EU's list publicly released yesterday — which also includes neighboring Samoa and Guam.

"The adoption of the first ever EU blacklist of tax havens marks a key victory for transparency and fairness," said Pierre Moscovici, EU's Commissioner for Economic and Financial Affairs, Taxation and Customs, in a news release from the group's headquarters in Brussels, Germany.

"We must intensify the pressure on listed countries to change their ways," Moscovici said. "Blacklisted jurisdictions must face consequences in the form of dissuasive sanctions, while those that have made commitments must follow up on them quickly and credibly."

As to why American Samoa is listed, a 38-page "Outcome of Proceedings" document from the General Secretariat of the Council of the European Union, which was made public yesterday, only provided a summary explanation. It says American Samoa:

- Does not apply any automatic exchange of financial information,
- Has not signed and ratified, including through the jurisdiction they are dependent on, the OECD (Organization for Economic Co-operation and Development) Multilateral Convention on Mutual Administrative Assistance in Tax Matters as amended,
- Does not apply the BEPS (Base Erosion and Profit Shifting) minimum standards, and
- Did not commit to addressing these issues by 31 December 2018.

An identical summary explanation is also given to Guam. For Samoa, it says the independent state, "has harmful preferential tax regimes, does not apply the BEPS minimum standards and did not commit to addressing these issues by 31 December 2018."

EU public documents, available on its website and reviewed by Samoa News, didn't specify whom in American Samoa was

contacted to obtain information on this matter.

Samoa News reached out yesterday morning to the Governor's Office and a senior official with the ASG Treasury Department for comments or information on who to contact to respond to questions. But there was no immediate reply as of press time.

All 17 blacklisted countries are each given only a summary of the reasons for being considered a "non-cooperative tax jurisdiction".

This is the first time the EU has produced a "blacklist", saying the list is part of EU's work to clamp down on tax evasion and avoidance.

Additionally, it says, it will help the EU deal more robustly with external threats to Member States' tax bases and tackle third countries that consistently refuse to play fair on tax matters.

Establishment of the list was approved last November and had to be in place before the end of 2017, according to the EU news release, which also states that the list was established following a screening and a dialogue conducted during 2017 with a large number of third country jurisdictions.

In October this year, letters were sent to all jurisdictions concerned, informing them of the outcome of the work. Most jurisdictions chose to engage with the EU process through a constructive dialogue, and to take steps towards resolving issues identified.

"The jurisdictions that appear on the list are strongly encouraged to make the changes requested of them," said the EU.

BACKGROUND

The OECD Multilateral Convention on Mutual Administrative Assistance is the most comprehensive multilateral instrument available for all forms of tax co-operation to tackle tax evasion and avoidance, a top priority for all countries.

BEPS refers to tax planning strategies that exploit gaps and mismatches in tax rules to artificially shift profits to low or no-tax locations where there is little or no economic activity. Although some of the schemes used are illegal, most are not.

Complete details and other information can be found at <www.oecd.org>



Congresswoman Aumua Amata with Secretary Ryan Zinke. The two discussed marine monuments and the need for restored fishing access.
[courtesy photo]

Amata welcomes Interior Secretary Zinke's recommendation for Am Samoa

Washington, D.C. — Tuesday, December 5, 2017 — Congresswoman Aumua Amata welcomed Interior Secretary Ryan Zinke's recommendation that President Trump consider expanding access to fishing in certain marine monuments, a major step forward in efforts to restore fishing rights in American Samoa.

"I appreciate this recommendation and thorough assessment from Secretary Zinke," said Aumua Amata. "This is good news for American Samoa, and important to the process of restoring a common-sense approach to these waters. We love our beautiful coasts and waters in American Samoa, but we also have unique economic circumstances and a heritage of fishing. I look forward to President Trump's decision based on these facts from the Interior Department."

"The sea is the way of life for people in American Samoa, and by restoring traditional

fishing access to the area we will be able to ensure a vibrant economy and sustainable food sources, while also protecting the marine life and habitat," said Secretary Zinke. "I'm thankful to Congresswoman Amata for her continued assistance during the review period."

Secretary Zinke's recommendations apply to the currently designated marine monuments.

On October 11, Rep. Amata also voted for the National Monument Creation and Protection Act, which was marked up and passed by the Natural Resources Committee, to ensure thorough oversight of any future marine monument designations.

That bill would prevent bureaucratic overreach from repeating past concerns, by ensuring both local/ territorial input and insisting on Congressional approval before any new marine monument designation.



The "sasa" — a traditional Samoan dance performed to a drum beat — in this case two drummers used a wooden 'drum' (a pate) and the plastic chair 'seat' to beat out the rhythm for their classmates, who performed during the Matafao Elementary School, Grade 8, Samoan Day celebration, last week Thursday, Nov. 30, 2017.
[photo: Leua Aiono Frost]

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Nine Pacific beauties compete in the 31st annual Miss Pacific Islands Pageant

(BASED ON PRESS RELEASES) — The 31st Annual Miss Pacific Islands Pageant organizing committee officially announced the contestants for this year’s Pageant, which will be held in the newly developed city of Nadi in Fiji, the place where happiness meets you.

Nine beautiful contestants are currently vying for the crown, which is being held by the reigning Miss Pacific Islands, Anne Dunn of Fiji.

The pageant theme is ‘Climate Change Action to Sustain our Islands’, which reflects the continuing environmental challenges faced by the Pacific Islands due to the harsh effects of climate change, and the Pacific peoples’ resilience and unity to protect its environment from climate change.

It further transcends the unity between the Pacific Islands with regards to their unique values, which encompass the respect given to their women, adding strength and nurturing the fusion between the respective Pacific cultures.

The pre-pageant activities began with an official gathering of contestants for the initial

briefing of all pageant related events by the Miss Pacific Islands Pageant secretariat and the host organizing committee of Fiji.

The contestants are from the Pacific Islands of American Samoa, Cook Islands, Fiji, Nauru, Papua New Guinea, Rapa Nui, Solomon Islands, Samoa and Tonga.

The nine Pacific Island beauties are:

Miss American Samoa - Matauaina Gwendolyn To’omalatai, 24, student and entertainer.

Miss Cook Islands - Enerstina Pokuia Bonsu-Maró, 22, consents agent.

Miss Fiji - Hally Qaqa, 24, student.

Miss Nauru - Tansy Angelique Itsimaera, 20, reporter.

Miss Papua New Guinea - Niawali Anastacia Twain, 23, medical laboratory technician.

Miss Rapa Nui - Tiare Pakarati, 19, student and model.

Miss Miss Samoa - Alexandra Iakopo, 23, qualification officer at the Samoa Qualifications Authority

Miss Solomon Islands - Emily Chan, 18, student.

Miss Tonga - Ophelia Kitiliti Kava, 23, call center administrator.

This is the first appearance of Rapa Nui in the Miss Pacific Islands Pageant. The contestants have already picked their order of appearance and respective topics for pre-pageant interviews, namely Gender Equality, Education, Tourism, Politics, Culture, Climate Change Action to sustain our Islands, Technology, Environment, and Health.

Further pageant activities for the week include visits to tourism sites and resorts around Nadi, before judged events and categories spread throughout four pageant nights such as the pre-pageant interview, opening performance and introduction, sarong, traditionally inspired attire, stage interview and talent.

The pageant nights of competition will be from Dec. 6-9, 2017 at Prince Charles Park.

To view photos and to follow developments of the pageant including how to vote online for your favorite Pacific beauty, visit Website: <http://www.misspacificislands.org/> or Facebook page: <https://www.facebook.com/MissPacificIslands/>



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Rebellious police return to duty amid disputed Honduran vote

TEGUCIGALPA, Honduras (AP) — Police officers returned to duty Tuesday after briefly refusing to enforce a curfew aimed at quelling protests over the slow vote count for Honduras’ Nov. 26 presidential election.

Supporters of opposition candidate Salvador Nasralla blocked some highways, deepening the country’s political crisis amid claims of fraud by President Juan Orlando Hernandez, who ran for re-election and held a small lead in the final vote tally.

Hernandez apparently headed off the police discontent by paying Christmas bonuses, promising increases to current salaries of about \$450 a month, and offering to build apartments for officers.

“I spoke with a lot of them, and we reached satisfactory agreements,” Hernandez said.

While financial questions were long thought to underlie the brief, one-day police strike, some officers also said they were tired of constantly battling demonstrations.

Speaking at the gate to a police special forces base, Javier Diaz of the national police said officers were returning to their posts ready to enforce the curfew.

“The only interest of the low-ranking police was respect

for the rights of all Honduran citizens,” said Diaz. “We are not going to repress the people. We are going to prevent Honduras from falling into chaos.”

Thousands of people had gone to police bases to show their support for the striking police.


On Tuesday, Nasralla supporters blocked the highway between the capital, Tegucigalpa, and the Caribbean coast. Transit police reported similar tie-ups in the cities of El Progreso and La Lima.

Hernandez held a narrow lead in the official results from the Supreme Electoral Tribunal — a count that Nasralla has claimed was fraudulent and is refusing to recognize. The opposition candidate had led in initial returns, but saw his edge slowly evaporate as officials took eight days to fully count votes.

Nasralla applauded the brief police strike, saying these are “crucial moments for democracy in Honduras.”

Hernandez called for “peace, common sense, fraternity and national unity,” urging his compatriots to be patient as electoral authorities do their job.

The president held 43 percent of votes to Nasralla’s 41.4 percent, according to the tribunal’s website, with 99.98 percent of the votes counted.



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REQUEST FOR PROPOSALS (RFP)

RFP No: ASPA18.009.ESD-WTR **Closing Date & Time: Wednesday, January 3, 2018**
Issuance Date: December 06, 2017 **No later than 2:00 p.m. local time**

The American Samoa Power Authority issues a Request For Proposal (RFP) to invite qualified firms to submit formal, written proposals for the:

“RFP No. ASPA.18.009.ESD-WTR, SUPPLY AND DELIVERY OF ADDITIONAL VARIABLE FREQUENCY DRIVE (VFD) and MAG METER PROJECT”

Submission

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Submissions are to be sent to the following address and will be received until 2:00 p.m. (local time), **Thursday, January 3, 2018:**

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P.O. Box PPB, Pago Pago, American Samoa 96799
Attn: Ioana Uli, Procurement Manager

Any proposal received after the aforementioned date and time will not be accepted under any circumstances. Late submissions will not be opened or considered and will be determined as being non-responsive.

Document

The RFP package outlining the proposal requirements is available at the Procurement Office at ASPA’s New Operations Building and may also be obtained from our Website: <http://www.aspower.com>.

Right of Rejection

The American Samoa Power Authority reserves the right to reject any and/or all proposals and to waive any irregularities and/or informalities in the submitted proposals that are not in the best interests of the American Samoa Power Authority or the public.

Approved for Issuance: Utu Abe Malae, Executive Director



A woman and police take photos of police leaving their headquarters at the end of a 24-hour police strike in Tegucigalpa, Honduras, Tuesday, Dec. 5, 2017. Police returned to duty Tuesday after briefly refusing to enforce a curfew aimed at quelling protests over the slow vote count for Honduras' Nov. 26 presidential election.

(AP Photo/Moises Castillo)

No Constitutional Convention this time, says Lolo

USING THE LEGISLATIVE PROCESS IS CHEAPER

by Fili Sagapolutele
Samoa News Correspondent

Instead of calling a Constitutional Convention, Gov. Lolo Matalasi Moliga suggests using the legislative process to propose any amendments to the American Samoa Constitution.

The last Convention was held in 2010, where more than a dozen proposed amendments to the Constitution were approved and presented to voters during election that year. However, voters rejected all the proposed changes, which were put under one question for a vote of “yes” or “no”.

Since the Lolo Administration took office in 2013, many in the community have questioned whether the governor will call a convention. The question resurfaced earlier this year when the administration won its second-

term in office as the governor had stated several times publicly the need to review American Samoa's relationship with the US government, because of federal regulations — such as fishing restrictions — impacting the territory.

Last month, two business owners and one community leader inquired with Samoa News if the governor has made any plans for a convention, saying there are issues they would like to see raised and discussed.

For example, the possible increase in the number of House members for Tualauta and Itua counties and electing senators instead of their respective county councils selecting them.

When asked during a recent news conference if he plans to call a convention during his second term in office, Lolo said he has recommended to Fono leaders to utilize the legislative process for any proposed changes, as this is the most effective way.

“It's a much cheaper way and it's a process that will give the public a chance to provide testimonies, during public hearings,” he said, and noted that if a convention is called, convention delegates would probably be more keen on getting their allowances, while only a few people would make the decision. (The constitution allows delegates to receive per diems set by law).

Going through the legislative process, the Fono “should conduct public hearings” to not only get public comments but explain any proposed amendment, Lolo said, adding that he's hopeful proposed amendments will be approved by the Fono next year so they can be presented to voters during the November 2018 general election.

So far the only possible amendment to be presented to voters next year, is a Senate

Joint Resolution, now pending in the House, giving the Fono the authority to override the governor's veto instead of the US Secretary of Interior.

During the news conference, Lolo reiterated to reporters his support of this amendment, saying this is a very important issue, which gives the Fono a say on bills rejected by a sitting governor. He explained that the current make-up of the territorial government is “centered” on the sitting governor making final decisions.

During a Senate committee public hearing on the veto-override measure, the only person who showed up to testify was Pulu Ae Ae Jr., who made clear that he was there to testify as a resident of American Samoa. While he wasn't against the measure, he suggested taking the matter out to the villages because there were no people to testify and he questioned whether American Samoa is prepared for such a change.

Several senators suggested that once the House approves the measure, Fono leaders should appoint a committee of lawmakers tasked with conducting public awareness on KVZK-TV and in the villages on the importance of the veto override.

Meanwhile, the ASG Office of Political Status, Constitutional Review and Federal Relations, headed by executive director Tapaau Dr. Daniel Aga, continues to provide public awareness programs at offices and schools on the territory's political status and other related issues. Outreach to villages are planned for 2018.

Those interested in hosting a presentation by Dr. Aga and his staff can contact 633-3650, 770-6039 or <drdanaga@gmail.com> Online: www.faavaeo-amerikasamoa.com

A Facebook page will be up and running soon.

4 sentenced in conspiracy to steal Fort Campbell equipment

NASHVILLE, Tenn. (AP) — Four men charged in a conspiracy to steal and sell Army equipment have been sentenced in federal court in Tennessee.

The U.S. attorney's office in Nashville said 27-year-old John Roberts of Clarksville was sentenced Tuesday to 15 years in prison. Visiting U.S. District Judge Hugh Lawson of Georgia also ordered Roberts to pay \$4.2 million restitution.

Prosecutors said evidence at the trial showed that Roberts conspired with soldiers, who took equipment from Fort

Campbell, Kentucky. Equipment listed for sale online included sniper telescopes and accessories, machine gun parts and grenade launcher sights.

Three others who pleaded guilty also were sentenced Tuesday, including Alexander Hollibaugh, formerly of Fort Campbell, to time served and probation; 23-year-old Spec. Dustin Nelson of Northville, New York; and Aaron Warner of Fort Campbell. Nelson and Warner were given probation.

Four others are being sentenced in January.



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This ad has been revised as of 11/30/2017.

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► Jury trial continues...

Continued from page 1

people on foot visiting the defendant's home multiple times — in the daytime and at night — to buy drugs.

Another government witness is a female who lived in the same house as the defendant. Pengelly said this witness will testify to the same thing, that people and cars were stopping by their house during all hours, and she saw Stowers walk up to the vehicles and hand them something in exchange for something from the drivers.

Another witness on the government's list is a meth user, who was one of Stowers's customers. The prosecutor said the male witness will testify that he was a regular customer and he purchased drugs from Stowers the same day Stowers was arrested by police.

A forensic scientist from the DEA laboratory will also testify and confirm that she received drugs and paraphernalia from the Dept. of Public Safety and multiple tests were positive for meth.

The government's main witness is Det. Johnny Pselio, the lead investigating officer. Pengelly said Det. Pselio will testify that on the day Stowers was arrested, he was in possession of meth worth \$200, and this is in addition to what they found after a search of the defendant's home in Fagatogo.

Pengelly said the items that were recovered from the defendant's house include straws and baggies, which prove that he was engaged in the business of selling drugs.

In closing, Pengelly asked the jury to review the evidence that will be presented and find Stowers guilty of both charges against him.

DEFENSE REMARKS

Fiaui told jurors that the people who were going in and out of his client's home went there for help and Stowers gave them work, but it wasn't selling ice.

He claims that the meth alleged to have been found by Det. Pselio never came from his client's pocket and therefore, Stowers is not guilty.

Fiaui — who referred to his client as "Nicole", said that on Nov. 28, 2016, at about 4:30 p.m., his client found herself alone in the DPS interview room in Fagatogo with Det. Pselio.

He said the government will argue that Pselio is an experienced police officer who has been on the force for over 17 years, and he knows how to do his job.

But, Fiaui said, evidence will show that Pselio is not a big follower of police procedure, protocol, policy, rules and the law.

Fiaui said Pselio took Nicole into a room without any other police officer or person, without a video camera or any recording device, without a single witness to see what happened inside.

He said Pselio is going to tell the story about what happened during the interview inside the room with Nicole.

"That's the story Pselio is going to tell, but the biggest question in this trial is: Can you trust him? Can you rely on his testimony? Can you trust what he's going to tell you? Let me answer these questions by telling you what counsel Pengelly didn't tell you about Pselio," Fiaui told the jurors.

According to the defense

attorney, Pselio has a history of abusing his position as a police officer. He has a history of abusing his police authority and a history of questionable conduct. He also has a history of violence, intimidation, and threatening behavior.

"If the evidence comes up and you are convinced that Pselio is unreliable and unworthy, you must find Nicole not guilty on both possession charges," Fiaui said. Fiaui said there is no physical evidence the government is going to present to prove their case.

"When they searched Nicole house, they found nothing; not a piece of ice, there was no scale, nothing was found to prove the charge of distribution; there was no money. The straws they found inside the house, is the kind of straw you use to drink cold niu (coconut), and the baggies are the kind you can use to store jewelry," Fiaui said.

He added that the government never took a statement from the people they claim were going in and out of Nicole's house, nor was there a video to record the movement of vehicles or take pictures.

About his client, Fiaui said Nicole was born in American Samoa, but was raised in New Zealand and Tokelau. She attended school in Apia and was trained as a nurse. She returned to the territory to meet her biological father and ended up attending ASCC where she later graduated with an Associate of Arts degree in Accounting Management. The trial resumes at 9 a.m. today. The case is being heard by Chief Justice Michael Kruse, assisted by Associate Judges Mamea Sala Jr and Fa'amausili Pomele.



Police officers from San Marcos Police Department and the Austin Police Department walk away after the body of San Marcos Police officer Kenneth Copeland was transferred to a hearse at the Travis County Medical Examiner's Office in Austin, Texas, on Tuesday Dec. 5, 2017. Copeland was killed Monday while he was serving a warrant on a suspect, according to a police statement.

(Jay Janner/Austin American-Statesman via AP)

Suspect in fatal shooting of Texas officer identified

SAN MARCOS, Texas (AP) — Police have released the identity of their suspect in the fatal shooting of a Central Texas officer who was serving a warrant for his arrest.

Officials in San Marcos, Texas, said in a Tuesday statement that an arrest warrant has been issued for 51-year-old Stewart Thomas Mettz. He is suspected of shooting Officer Kenneth Copeland multiple

times Monday. Mettz also was shot and remains in an Austin hospital. His condition was not provided.

The statement said no charge has been filed yet regarding the Copeland shooting but said he remains their suspect.

The 58-year-old officer was a 19-year veteran of the San Marcos Police Department.

San Marcos is about 30 miles (48 kilometers) south of Austin.

► Mexican...

Continued from page 2

Jurors left court last week without speaking publicly about their verdict and Gascon said they have not spoken with prosecutors either.

Garcia Zarate said he found a gun under a chair on a San Francisco pier. He said it fired accidentally when he picked it up.

President Donald Trump frequently brought up the case last year during his presidential campaign to criticize efforts in the U.S. to combat illegal immigration.

Garcia Zarate had been deported five time before the shooting. The San Fran-

cisco sheriff's department also released him from jail several weeks before the shooting despite a request from federal immigration officials to detain him for deportation.

San Francisco is a so-called sanctuary city and local officials are limited in the cooperation they can give with federal deportation efforts.

President Trump has threatened to withhold federal funding from cities with similar policies.

Gascon on Tuesday called Trump a "madman" for a series of tweets deriding the jury's verdict.

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Continued from page 1

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Two people walk along the beach with a dog as a wildfire burns in distance Tuesday, Dec. 5, 2017, in Ventura, Calif. Raked by ferocious Santa Ana winds, explosive wildfires northwest of Los Angeles and in the city's foothills burned a psychiatric hospital and scores of homes Tuesday and forced the evacuation of tens of thousands of people.

(AP Photo/Jae C. Hong)

California communities under siege from wind-driven fires

VENTURA, Calif. (AP) — Wind-driven fires tore through California communities Tuesday for the second time in two months, leaving hundreds of homes feared lost and uprooting tens of thousands of people.

The most damaging fire was in Ventura County northwest of Los Angeles, where 150 structures were confirmed destroyed. But a fire official said he suspected “hundreds more” would be lost when flames died down enough to make a thorough assessment.

In the San Gabriel Mountains foothills of Los Angeles about 45 miles (72 kilometers) away from the city, 30 structures burned. Mayor Eric Garcetti said the gusty winds expected to last most of the week had cre-

ated a dangerous situation and he urged 150,000 people under mandatory evacuation orders to leave their homes before it's too late.

“We have lost structures, we have not lost lives,” he said. “Do not wait. Leave your homes.”

The fires in Ventura County lit up hillsides and spread rapidly Monday evening from rural rolling hills to dense subdivisions. Residents, already warned of extreme fire danger, were sent automated phone alerts and evacuations appeared to proceed smoothly.

As the sun rose Tuesday, the first of at least three additional Southern California fires broke out, fueled by stiff winds that prevented firefighting aircraft most of the day from dumping water to protect homes or attack the march of flames.

In addition to prompting hasty evacuations, the fires shut down two freeways for hours and sent heavy, acrid smoke billowing over the Los Angeles area, creating a health hazard for millions.

There were no immediate reports of any deaths. Two people were critically injured in a small San Bernardino County fire, but no other serious injuries were reported. The fires were under investigation and no causes had been found.

The Ventura wildfire exploded to nearly 80 square miles (207 square kilometers) in a matter of hours. It was fanned by dry Santa Ana winds clocked at well over 60 mph (96 kph) and spit embers up to a half-mile (0.8 kilometers) ahead of fire lines.

Lisa Kermode ignored the first evacuation alert that buzzed on her phone when it said the fire was 15 miles (24 kilometers) away from her home. But the flames were nearly on top of her an hour later when she rounded up her three children, still in their pajamas, and told them to grab some jeans so they could leave.

They returned home Tuesday to find their home and world in ashes, including a Christmas tree and the presents they had just bought.

“We got knots in our stomach coming back up here,” Kermode said. “We lost everything, everything, all our clothes, anything that was important to us. All our family heirlooms — it's not sort of gone, it's completely gone.”

The fires came just eight weeks after the deadliest and most destructive series of wildfires in state history burned through Northern California and its fabled wine country and killed 44 people dead and destroyed 8,900 homes and other buildings.





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(Photos: Leua)



U.S. Secretary of State Rex Tillerson speaks to the media as he arrives for a meeting of NATO foreign ministers at NATO headquarters in Brussels on Tuesday, Dec. 5, 2017. U.S. Secretary of State Rex Tillerson visited European Union headquarters and NATO on Tuesday to assess trans-Atlantic relations and meet with NATO foreign ministers. (AP Photo/Virginia Mayo)

In Europe, Tillerson carries on but with diminished standing

BRUSSELS (AP) — What do you do when you're America's top diplomat, fourth in line to the presidency, and the White House makes it publicly known you're living on borrowed time? If you're Secretary of State Rex Tillerson, you brush it off, pack a suitcase and hop a flight to Europe, as if nothing had happened.

On the surface, at least, Tillerson carried on in ordinary fashion Tuesday on his first day in the Belgian capital, stoically sauntering from meeting to meeting in his characteristically subdued style. He praised President Donald Trump repeatedly for holding Iran to account and demanding equal contributions from NATO allies, even as he acknowledged getting "a little criticism" over his management of his agency.

"The State Department is not missing a beat," Tillerson told American diplomats at the U.S. Embassy.

Arriving at NATO headquarters for a gathering of foreign ministers, Tillerson ignored a shouted question from a journalist about whether he was confident he still spoke for the president.

Tillerson's tenuous future in the Trump administration has followed him to Europe days after the White House signaled he might be fired — possibly soon. White House officials told multiple news organizations last week a plan was afoot to replace Tillerson with CIA Director Mike Pompeo, a humiliating disclosure that cast a dark shadow over the secretary as he tries to sell Trump's policies to the rest of the world.

Even though Tillerson brushed it off as "laughable" and Trump tweeted it was "FAKE NEWS," the damage to Tillerson's standing had been done.

In Belgium, Austria and France, Tillerson is contending with European officials who now have more reason than ever to question whether he still carries the president's confidence, how much credence to give his policies, and if he'll remain long enough to see them through. For foreign governments, it has created even more uncertainty over dealing with a mercurial administration in which the only voice that seems to matter is that of Trump himself.

There were signs that at least some of those leaders were keeping him at a distance. Federica Mogherini, the European Union's foreign policy chief, spent three hours in meetings with Tillerson before using the occasion to air major European grievances with the United States.

"I don't think you want a list of issues on which our positions are different," Mogherini told reporters. But then she offered one anyway: The Iran nuclear deal, climate change, Mideast peace and multilateralism at the U.N.

Mogherini subtly urged the Trump administration to avoid undermining future Mideast peace talks by declaring Jerusalem the capital of Israel, as Trump has been considering. She took particular issue with Trump's campaign to alter the Iran deal brokered by the EU, the U.S. and world powers.

"The message was heard, I think, loud and clear in Washington," Mogherini said.

It was difficult to tell whether the chilly reception was a consequence of Tillerson's diminished standing or broader, growing European distaste for his boss's agenda. His senior adviser, R.C. Hammond, acknowledged that Tillerson's fellow diplomats had not held their tongues.

"Allies have been very frank today in sharing some of their views," Hammond said. "Dialogues only work if they go two ways."

Tillerson, for his part, said all the right things: He affirmed the "ironclad" U.S. commitment to NATO's collective defense, and praised the Europeans effusively for their help pressuring North Korea over its nuclear program.

At the embassy, though, Tillerson was in clear damage-control mode, owing largely to his planned overhaul of the State Department that is deeply unpopular among the American diplomatic corps. He downplayed concerns about rampant vacancies in ambassadorships and other key posts — including, in Brussels, no U.S. ambassadors to either Belgium or the European Union.

Tillerson said his "redesign" of the State Department was moving into its final phase, sure to show positive results soon.

"While we don't have any wins on the board yet, I can tell you we are much better positioned to advance America's interest around the world than we were 10 months ago," Tillerson said.

Yet Tillerson's uncertain footing in the administration loomed awkwardly over his trip, which will take him later in the week to Vienna and then to Paris.

Though Trump insisted on Twitter that he and Tillerson "work well together," he allowed news stories about Tillerson's impending demise to percolate for more than 24 hours before pushing back. Trump's spokeswoman didn't explicitly dispute that a plan had been hatched to replace Tillerson. Nor did she declare outright Trump's confidence in the former Exxon Mobil CEO.

In Trump's Washington, such is often the way. "Trial balloons" are floated in the press, and competing factions swipe and snipe from behind a cloak of anonymity. It's left to Americans at home to try to discern whether it's happening against the president's wishes or at his direct behest.

Trump forges ahead on Jerusalem-as-capital despite warnings

WASHINGTON (AP) — President Donald Trump will recognize Jerusalem as Israel’s capital on Wednesday despite intense Arab, Muslim and European opposition to a move that would upend decades of U.S. policy and risk potentially violent protests.

Trump will instruct the State Department to begin the multi-year process of moving the American embassy from Tel Aviv to the holy city, U.S. officials said Tuesday. It remains unclear, however, when he might take that physical step, which is required by U.S. law but has been waived on national security grounds for more than two decades. The officials said numerous logistical and security details, as well as site determination and construction, will need to be finalized first. Because of those issues, the embassy is not likely to move for at least 3 or 4 years, presuming there is no future change in U.S. policy.

To that end, the officials said Trump will sign a waiver delaying the embassy move, which is required by U.S. law every six months. He will continue to sign the waiver until preparations for the embassy move are complete.

The officials said recognition of Jerusalem as Israel’s capital will be an acknowledgement of “historical and current reality” rather than a political statement and said the city’s physical and political borders will not be compromised. They noted that almost all of Israel’s government agencies and parliament are in Jerusalem, rather than Tel Aviv, where the U.S. and other countries maintain embassies.

The U.S. officials spoke to reporters on condition of anonymity Tuesday because they were not authorized to publicly preview Trump’s Wednesday announcement. Their comments mirrored those of officials who spoke on the issue last week.

The declaration of Jerusalem as Israel’s capital is a rhetorical volley that could have its own dangerous consequences. The United States has never endorsed the Jewish state’s claim of sovereignty over any part of Jerusalem and has insisted its status be resolved through Israeli-Palestinian negotiation. The mere consideration of Trump changing the status quo sparked a renewed U.S. security warning on Tuesday. America’s consulate in Jerusalem ordered U.S. personnel and their families to avoid visiting Jerusalem’s Old City or the West Bank, and urged American citizens in general to avoid places with increased police or military presence.

Trump, as a presidential candidate, repeatedly prom-

ised to move the U.S. embassy. However, U.S. leaders have routinely and unceremoniously delayed such a move since President Bill Clinton signed a law in 1995 stipulating that the United States must relocate its diplomatic presence to Jerusalem unless the commander in chief issues a waiver on national security grounds.

Key national security advisers — including Secretary of State Rex Tillerson and Defense Secretary Jim Mattis — have urged caution, according to the officials, who said Trump has been receptive to some of their concerns.

The concerns are real: Trump’s recognition of Jerusalem as Israel’s capital could be viewed as America discarding its longstanding neutrality and siding with Israel at a time that the president’s son-in-law, Jared Kushner, has been trying to midwife a new peace process into existence. Trump, too, has spoken of his desire for a “deal of the century” that would end Israeli-Palestinian conflict. U.S. officials, along with an outside adviser to the administration, said they expected a broad statement from Trump about Jerusalem’s status as the “capital of Israel.” The president isn’t planning to use the phrase “undivided capital,” according to the officials. Such terminology is favored by Israeli officials, including Prime Minister Benjamin Netanyahu, and would imply Israel’s sovereignty over east Jerusalem, which the Palestinians seek for their own future capital.

Jerusalem includes the holiest ground in Judaism. But it’s also home to Islam’s third-holiest shrine and major Christian sites, and forms the combustible center of the Israeli-Arab conflict. Any perceived harm to Muslim claims to the city has triggered volatile protests in the past, both in the Holy Land and across the Muslim world.

Within the Trump administration, officials on Tuesday fielded a flood of warnings from allied governments.

The Jerusalem declaration notwithstanding, one official said Trump would insist that issues of sovereignty and borders must be negotiated by Israel and the Palestinians. The official said Trump would call for Jordan to maintain its role as the legal guardian of Jerusalem’s Muslim holy places, and reflect Israel and Palestinian wishes for a two-state peace solution. Still, any U.S. declaration on Jerusalem’s status ahead of a peace deal “would harm peace negotiation process and escalate tension in the region,” Saudi Arabia’s King Salman told Trump Tuesday, according to a Saudi readout of their telephone conversation.



FILE--In this Oct. 31, 2017, file photo, Sen. Jeff Flake, R-Ariz., asks questions during a Senate Committee on Capitol Hill in Washington. A trial is scheduled to begin in Phoenix, Ariz., Tuesday, Dec. 5, 2017, in a lawsuit that alleges former Sheriff Joe Arpaio brought a trumped-up criminal case against one of Flake’s sons to embarrass the senator.

(AP Photo/Andrew Harnik, File)

Malicious-prosecution suit against Joe Arpaio goes to trial

PHOENIX (AP) — Arizona jurors who will decide a malicious-prosecution trial against former Sheriff Joe Arpaio were told Tuesday that one of Sen. Jeff Flake’s sons suffered from depression as a result of a now-dismissed animal cruelty case that the lawman brought against him.

The jury was told on the opening day of the civil trial that Austin Flake and his ex-wife Logan Brown still suffer emotional distress from the charges they faced when 21 dogs at a kennel operated by the younger Flake’s in-laws died from heat exhaustion. The Flakes were watching the dogs while the in-laws were in Florida.

The lawsuit filed by the couple alleges Arpaio pursued charges against them to do political damage to the Republican senator from Arizona and gain publicity for himself. While jurors were told about Arpaio’s efforts to publicize the case, the elder Flake was barely mentioned during opening Tuesday’s opening statements.

Stephen Montoya, an attorney representing the younger Flake and his ex-wife, said there was no evidence showing his clients intended to hurt the dogs.

“It wasn’t Austin’s fault. It wasn’t Logan’s fault,” Montoya said, adding that the criminal case contributed to the demise

of the couple’s marriage.

Jeffrey Leonard, an attorney representing Maricopa County and the former sheriff, said the charges against the couple were the result of a competent investigation.

“There were no predetermined results,” Leonard said. “Conclusions were drawn in good faith by the Maricopa County Sheriff’s Office.”

Leonard also told jurors that the prosecutor who filed the charges was not pressured by Arpaio’s office to prosecute the couple. Arpaio, who lost his re-election bid last year after serving as sheriff of greater Phoenix for 24 years, is expected to testify Tuesday.

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Bannon savages GOP leaders in fight for Alabama Senate seat

FAIRHOPE, Ala. (AP) — Populist firebrand Steve Bannon savaged national Republican leaders Tuesday night in a fiery call to rally voters behind embattled Senate candidate Roy Moore as the battle for the GOP’s soul spilled into a dirt-floor barn deep in rural Alabama.

Bannon, known best for his former role as President Donald Trump’s chief strategist, called GOP leaders in Congress “cowards” and attacked the party’s 2012 presidential nominee Mitt Romney as a draft dodger as he defended Moore, who is fighting several allegations of sexual misconduct and a Washington establishment that wants him to lose the Dec. 12 election.

“The days of taking it silently are over,” Bannon declared at a rally that drew hundreds of Moore supporters to a local farm in the southwestern corner of the state.

“They want to destroy Judge Roy Moore. You know why? They want to take your voice away,” Bannon said as Moore looked on. “If they can destroy Roy Moore, they can destroy you.”

Even if he isn’t well-known in this heavily Republican county, Bannon’s appearance was a welcome development for Moore, who has been shunned by the Republican Party’s biggest stars. Trump himself agreed to campaign later in the week in nearby Florida, but many national GOP leaders say the allegations against Moore are credible and he shouldn’t serve in the Senate.

Earlier in the day, Senate Majority Leader Mitch McConnell said that Moore, if elected on Dec. 12, would “immediately have an issue with the Ethics Committee” — a process that could lead to his ultimate expulsion from the Senate. Some

Republicans, including Colorado Sen. Cory Gardner, have already promised expulsion.

Another Republican, Arizona Sen. Jeff Flake, sent a \$100 check to Moore’s Democratic opponent, Doug Jones on Tuesday. He tweeted a picture of the check and the words, “Country over party.”

And Romney, the 2012 Republican presidential nominee, said this week that Moore would be “a stain on the GOP and the nation.” “No vote, no majority is worth losing our honor, our integrity,” Romney tweeted.

Bannon was most aggressive Tuesday night with Romney, charging that Moore had more integrity and honor than Romney’s entire family. He noted that Moore graduated from the United States Military Academy, while Romney received a draft deferment for his missionary work in France.

“You hid behind your religion,” Bannon said. “Do not talk to me about honor and integrity.”

Moore, 70, is facing multiple allegations of sexual misconduct, including accusations that he molested two teenage girls and pursued romantic relationships with several others while in his 30s. He has denied the allegations.

Outside the event, about three dozen protesters, some dressed as handmaidens to symbolize Moore’s accusers, chanted, “We want a senator, not a predator.”

Many gathered inside Oak Hollow Farm’s barn have dismissed the allegations as fake. Some didn’t seem to mind them, even if true.

“What girl hasn’t been kissed at 17 years old?” asked Diane Myrick, 69, of nearby Bon Secour. “I know a girl who got married at 14.”

Moore didn’t address the allegations directly on Tuesday night. Instead, he cast himself as a political outsider fighting the establishment in both parties, just like Trump did one year ago. He also reminded Alabama voters of his focus on Christian conservative values.

“I know we do not need transgender in our military,” Moore said. “If I’m in a fox-hole, I don’t want to know whether this guy next to me is wondering if he’s a woman or a man.”

Bannon’s presence had less to do with Moore’s religious convictions than with their shared disdain for Washington Republicans.

Moore was twice removed from his state Supreme Court position, once for disobeying a federal court order to remove a Ten Commandments monument from the lobby of the state judicial building and later for urging state probate judges to defy the U.S. Supreme Court decision that legalized gay marriage.



Democratic senatorial candidate Doug Jones speaks at a news conference, Monday, Dec. 4, 2017, in Dolomite, Ala.

(AP Photo/Brynn Anderson)



DEVELOPMENT BANK OF AMERICAN SAMOA

P.O. BOX 9, Pago Pago, American Samoa 96799
Office: (684) 633-4031 Fax: (684) 633-1163.
Website: www.dbas.as

REQUEST FOR PROPOSALS (RFP)

RFP: Financial and Single Audit Services for 2017-2019
Approved to issuance by: Ruth Matagi-Fa’atili; DBAS President
Date of issuance: Dec 1, 2017
Date & Time Due: December 30, 2017
No later than 2:00 pm local time

DBAS requests proposals for financial audits and the related single audits for a period of three years, beginning with the audit of fiscal year 2017 through fiscal year 2019. Fiscal and calendar years are coincident at DBAS.

DOCUMENT

DBAS requests proposals for financial audits and the related single audits for a period of three years, beginning with the audit of fiscal year 2017 through fiscal year 2019. Fiscal and calendar years are coincident at DBAS.

Document: Requests for proposal packet outlining requirements will be available for pick up at DBAS on Friday Dec 1, 2017 or emailing charmaine@dbas.as for information regarding the RFP. It can also be accessed through the DBAS website: www.dbas.as (click public notice).

The Request for Proposals (RFP) describes the specifications for the services to be provided in sufficient details to permit competition and allow the interested party to properly respond to the RFP.

This RFP is issued under Title 28, Chapter 1, of the American Samoa Code Annotated.

DBAS invites the submission of proposals to include pricing and other details as indicated in the specifications. Attachments will be provided as an aid in presenting a comprehensive proposal consistent with the requirements of DBAS.

DBAS will select a contractor who best meets the needs of DBAS. The factors for selection will include, but not be limited to the following: understanding of the requirements of the financial and single auditors; verifiable ability to perform well; good reputation; flexibility, including ability to respond quickly to needs of a small client in a remote location and throughout the year; and reasonability of costs.

The proposals will be reviewed by a committee consisting of representatives from DBAS management and board. The committee may request interviews with potential contractors after reviewing the proposals before the final selection is made.

Submission: Proposals must be received by DBAS no later than 2:00pm local time on December 30, 2017. They may be mailed or hand delivered in a sealed envelope to:

Development Bank of American Samoa
PO BOX 9
Attention: Charmaine Faleaana
Pago Pago, American Samoa 96799

They may also be emailed to charmaine@dbas.as, as an attachment in Word Format with a confirming email required to confirm receipt; or faxed to DBAS at (684) 633-1163 with a confirming fax to confirm receipt. The original is to follow by airmail first class.

US homeless count rises, pushed by crisis on the West Coast

LOS ANGELES (AP) — The nation’s homeless population increased this year for the first time since 2010, driven by a surge in the number of people living on the streets in Los Angeles and other West Coast cities.

The U.S. Department of Housing and Urban Development released its annual Point in Time count Wednesday, a report that showed nearly 554,000 homeless people across the country during local tallies conducted in January. That figure is up nearly 1 percent from 2016.

Of that total, 193,000 people had no access to nightly shelter and instead were staying in vehicles, tents, the streets and other places considered uninhabitable. The unsheltered figure is up by more than 9 percent compared to two years ago.

Increases are higher in several West Coast cities, where the explosion in homelessness has prompted at least 10 city and county governments to declare states of emergency since 2015.

City officials, homeless advocates and those living on the streets point to a main culprit: the region’s booming economy.

Rents have soared beyond affordability for many lower-wage workers who until just a few years ago could typically find a place to stay. Now, even a temporary setback can be enough to leave them out on

the streets.

“A lot of people in America don’t realize they might be two checks, three checks, four checks away from being homeless,” said Thomas Butler Jr., who stays in a carefully organized tent near a freeway ramp in downtown Los Angeles.

Butler said he was in transitional housing — a type of program that prepares people for permanent homes — for a while but mostly has lived on the streets for the past couple of years. The numbers in the report back up what many people in California, Oregon and Washington have been experiencing in their communities: encampments sprouting along freeways and rivers; local governments struggling to come up with money for long-term solutions; conflicts over whether to crack down on street camping and even feeding the homeless.

The most alarming consequence of the West Coast homeless explosion is a deadly hepatitis A outbreak that has affected Los Angeles, Santa Cruz and San Diego, the popular tourist destination in a county where more than 5,600 people now live on the streets or in their cars. The disease is spread through a liver-damaging virus that lives in feces.

The outbreak prompted California officials to declare a state of emergency in October.

The HUD report underscores the severity of the problem along the West Coast.



A homeless man, who declined to give his name, is dwarfed by skyscrapers Monday, Dec. 4, 2017, in Los Angeles. The U.S. Department on Housing and Urban Development release of the 2017 homeless numbers are expected to show a dramatic increase in the number of people lacking shelter along the West Coast.

(AP Photo/Jac C. Hong)

Skydiving Santa crashes on Florida beach with Elf on a Shelf

GULFPORT, Fla. (AP) — A skydiving Santa looking to make a grand entrance while taking an Elf on the Shelf to a 9-year-old girl crashed into a tree and light pole before hitting a Florida beach and breaking his leg.

News outlets say George Krokus was dressed as Santa Claus during a skydive Saturday to deliver toys to the Tampa Bay Beach Bums Operation Santa Charity Volleyball

Tournament.

Madison Spiers saw the crash and later found a note from the “elf” named Kristoff who visits her house during the holidays. It said, “As we were about to land this big tree jumped right out in front of us!”

She tells Bay News 9 that Kristoff is no stranger to adventure.

The elf sported a bandaged leg while staying with the recovering Krokus.

Coast Guard suspends search for 2 men after boat sinks

NANTUCKET, Mass. (AP) — The Coast Guard has suspended its search for two missing crewmembers of a fishing boat that sank near Nantucket.

The Coast Guard received a distress call from the 69-foot Misty Blue around 6 p.m. Monday. A nearby fishing boat rescued two of the four crewmembers and brought them to

a Coast Guard vessel, but two remained missing.

The Coast Guard suspended its search around 8 p.m. Tuesday.

Earlier in the day, Massachusetts State Police say divers located a large object believed to be the vessel. Weather and ocean conditions prevented them from investigating further.



AMERICAN SAMOA
POWER AUTHORITY

Human Resource Department, Tafuna
PO Box PPB, Pago Pago
American Samoa 96799
Phone No: (684) 248-1234 Option #5
humanresource@aspower.com

Position Title

Security Officer I (2)

Department

Facility, Security & Maintenance (FSM)

Division

Support Services

Position Type

Career Service - 12 months probation

Reports To

Security Supervisor

Posting Date

December 4, 2017

Deadline

December 15, 2017, 4:00 pm

Pay Rate

\$7.26/hr - \$7.56/hr

Job Grade/Status

C/4/A - C/5/A, Non-Exempt

Major Duties & Responsibilities

Makes periodic walking tours around buildings and grounds examining doors, windows, and gates to ensure they are properly secured; ensures proper identification of employees and/or visitors; maintains logs of all vehicle entries and departures including driver and passenger identification & equipment; reports irregularities such as fire hazards, leaking water pipes, oil leaks and spills in ASPA plant, and security doors left unlocked; investigates disturbances; and in the event of emergency, maintains order and safety of personnel; protects ASPA property against misuse and theft by immediately following reporting procedures and reporting illegal activities including theft, property damage, etc. Prepares daily attendance roster; answers phones and assists plant operators during plant & system outages; assists with facility maintenance as assigned and required (yard cleanup, office maintenance, etc.); makes recommendations on improving safety and security measures and processes; and performs other tasks as assigned by Security Supervisor.

Minimum Requirements

Education

High School diploma or equivalent.

Experience

Minimum of one (1) year in Security field or related area preferred.

Skilled In:

Written and oral communications (i.e. reporting, answering phones; basic computer skills), discerning wrongful and adverse activities before they manifest and immediately act to prevent them.

Ability To:

Operate office equipment such as fax, computer, wireless radios etc.; maintain good and healthy habits; remain alert and watchful especially during swing and graveyard shifts; prove he/she is honest; work in an outside environment; report perpetrators regardless of relationship; walk and stand for long hours; take over another security officer's shift when necessary; work overtime if necessary at assigned ASPA sites.

Qualified applicants: Please submit a completed ASPA Employment Application with a copy of your resume to ASPA Tafuna (address listed above) by the deadline listed above. Please attach copies of credentials and transcripts. Candidates selected for hire must pass examinations (when applicable), pre-employment clearances & test negative on pre-employment drug test. ASPA reserves the right to waive education and experience requirements as necessary. No phone inquiries accepted.

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Former Secretary of State Hillary Clinton, center, holds the Believe in Girls award during a fundraising event for the Big Sister Association of Greater Boston, Tuesday, Dec. 5, 2017, in Boston. Clinton was presented with the award during the event.

(AP Photo/Steven Senne)





AMERICAN SAMOA
POWER AUTHORITY

Human Resource Department, Tafuna
PO Box PPB, Pago Pago
American Samoa 96799
Phone No: (684) 248-1234 Option #5
humanresource@aspower.com

PUBLIC JOB POSTING

Position Title	Staff Accountant	Posting Date	December 4, 2017
Department	Accounting	Deadline	December 15, 2017 - 4:00pm
Division	Support Services	Starting Rate	\$13.08/hr - \$15.04/hr
Position Type	Career Service - 12 months probation		
Reports To	Accounting Supervisor	Job Grade/Status	G/6/C-G/10/A, Non-Exempt

Major Duties & Responsibilities

The Staff Accountant will provide management with financial information by researching and analyzing accounts and preparing financial statements. This position will prepare consolidated internal and external financial statements by gathering and analyzing information from the general ledger system and from departments. This position will maintain and balance an automated consolidation system by inputting data, scheduling required jobs, and verifying data. He/she will analyze information and options by developing spreadsheet reports and verifying information. This position will also prepare general ledger entries by maintaining records and files. Other duties of this position are as follows: prepare payments by accruing expenses; assign account numbers; request disbursements; reconcile accounts; develop and implement accounting procedures by analyzing current procedures; recommend changes; answer accounting and financial questions by researching and interpreting data; provide accounting support for mergers and acquisitions by reviewing financial information; convert data to general ledger system; obtain supplementary information for preparing financial statements; protect organization's value by keeping information confidential; update job knowledge by participating in educational opportunities, reading professional publications, maintaining personal networks, and participating in professional organizations; accomplish accounting and organization's mission by completing related results as needed. The Staff Accountant will also perform other duties and projects as assigned by the Accounting Supervisor and/or Controller.

	<h4>Minimum Requirements</h4>
Education	BA/BS degree or equivalent experience from an accredited college or university with the necessary skills in accounting, information technology, and ethics. Must possess basic math skills, ability to analyze figures, knowledge of accounting principles, and excellent verbal and written skills. Extensive experience with accounting software used at similar sized companies and expertise in Microsoft Word, Excel, and PowerPoint is also essential.
Experience	Minimum of five (5) years related work experience in the accounting field is required in addition to the minimum educational requirement having been obtained.
Knowledge, Skills & Abilities	<ul style="list-style-type: none">• Must possess skills in accounting, reporting, time management, attention to detail, confidentiality, PC proficiency, productivity, verbal communication, general math skills• Must be knowledgeable of US GAAP and GASB as well as automated accounting and financial information systems.• Must be detail-oriented.• Must have knowledge of SFA rules.• Must have the ability to prepare payments by utilizing the accounts payable system, accrue expenses and maintain a prepayment schedule, assign account numbers and process disbursements.• Must have the ability to analyze, develop, and implement accounting procedures, recommend changes, and be able to write standard operating procedures.• Must have skills to answer accounting and financial questions by researching and interpreting data.• Must have ability to interact with auditors as required, providing analysis, reports and data as requested during audits.

Qualified applicants: Please submit a completed ASPA Employment Application with a copy of your resume to ASPA Tafuna (address listed above) by the deadline. Please attach copies of credentials and transcripts. Candidates selected for hire must pass examinations (when applicable), pre-employment clearances & test negative on pre-employment drug test. ASPA reserves the right to waive education and experience requirements as necessary. No phone inquiries accepted.

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Clinton signs books in New Hampshire, demurs on voter fraud

CONCORD, N.H. (AP) — Hillary Clinton returned to New Hampshire for the first time since the 2016 election on Tuesday, basking in a warm welcome and brushing off a question about President Donald Trump’s unsubstantiated claim that rampant voter fraud led to her victory in the state.

About 1,000 people waited outside in light rain to meet the former Democratic presidential nominee and get a signed copy of her new book about her failed 2016 campaign, “What Happened.”

“I love coming to New Hampshire, and I love the friends that I’ve made over 25 years now. So any chance I have to come back, I am anxious to take it,” she said shortly after the signing got underway.

Clinton won New Hampshire’s four electoral votes, though Trump insists he lost the state only because “thousands” of people came by bus to vote against him. He also has created a commission to investigate allegations — offered without evidence — that millions of people voted illegally nationwide in 2016.

Asked about those claims by the Republican president, Clinton demurred.

“Well, you can read my book and find out what I think about that,” she said.

Karolyn Carpenter, 65, of Tilton, was more blunt.

“Oh, please. Any time he opens his mouth, it’s a lie. Don’t even get me started,” she said.

Carpenter said she is a long-time Clinton fan but hadn’t met her in person until Tuesday.

“I feel the same way she does:

What happened?” she said. “I think Trump is destroying our country.”

Geena Chiumento, 23, came from Boston to meet the first person she had ever voted for in a presidential election. She said she has been reading Clinton’s book and enjoying learning more about her likes and dislikes.

“I think I just really appreciate how open and honest it is,” she said.

She arrived several hours before the doors opened and ended up running to a nearby store to buy new socks to stay warm.

“It was worth it,” she said. “I’ll always remember these socks now.”

Protesters across the street from the bookstore included supporters of U.S. Sen. Bernie Sanders, Clinton’s main opponent in primary elections, and perennial candidate and performance artist Vermin Supreme, who went to court to get permission to bring a pony to the event.

Chris Balch of Wilton held a large banner thanking Sanders “for making Medicare 4 All household words.” He said he wanted to remind voters that Clinton represents a corrupt system that rewards corporate greed.

“Bernie does not do that, so it’s important to spread that word at every opportunity,” he said. “Does it do any good? I don’t know. I don’t really know.” Later Tuesday, Clinton was honored with the Big Sister Association of Greater Boston’s “Believe in Girls” award for working to improve the lives of women and girls.

Terry Crews sues agent over alleged groping incident

LOS ANGELES (AP) — Terry Crews alleges talent agents at William Morris Endeavor are “knowingly permitted and encouraged to engage in sexually predatory conduct” in a lawsuit filed Tuesday against the agency and one of its top executives.

Crews’ complaint filed in Los Angeles Superior Court states the actor and former NFL player was subjected to sexual assault, sexual harassment, gender violence and emotional distress during and after a Feb. 2016 incident in which he says he was repeatedly groped by a talent executive. The lawsuit recounts Crews’ allegations that agent Adam Venit groped him at the Hollywood party last year and details the actor’s efforts to see Venit disciplined after the incident. Crews complained about Venit to agency chairman Ari Emanuel, and

the two men have retaliated against him for going public with his allegations, the lawsuit states. The lawsuit contends the agency knew Venit was predatory and condoned his behavior by failing to punish him for it. Venit and William Morris Endeavor did not respond to requests for comment Tuesday. Crews added his name to the list of Hollywood’s sexual harassment victims in October when he revealed that he was groped by a high-level talent agent at an industry event. Crews discussed the incident and named Venit as his attacker on “Good Morning America” last month. Crews claims in his lawsuit that Venit, Emanuel and other agency executives have since tried to silence him and hurt his career. “Crews had no choice by to bring this action to protect himself and to stand up for all victims of sexual predators.



GOP leaders now backing Moore, despite allegations

WASHINGTON (AP) — Republican leaders in Washington are coming to grips with the possibility — perhaps even probability — that Alabama’s Roy Moore will win his special election next Tuesday and join them in the capital.

Looking past allegations of sexual misconduct with Alabama teenagers, President Donald Trump formally endorsed Moore, and the Republican National Committee quickly followed suit, transferring \$170,000 to the Alabama Republican Party to bolster Moore’s candidacy.

“I think he’s going to do very well. We don’t want to have a liberal Democrat in Alabama, believe me,” Trump said Tuesday during a lunch with Republican senators. “We want strong borders, we want stopping crime, we want to have the things that we represent and we certainly don’t want to have a liberal Democrat that’s controlled by Nancy Pelosi and controlled by Chuck Schumer, we don’t want to have that for Alabama.”

Senate GOP leader Mitch McConnell, who once called on Moore to get out of the race, changed his rhetoric over the weekend to say that it was Alabama voters who should decide.

The changed tone — and Trump’s decision to do away with any facade of distancing himself from the race — make it clear they are increasingly confident in Moore’s chances of victory despite the continued unease of some other Republicans.

The special election is next Tuesday for the seat once held by Jeff Sessions, now the U.S. attorney general. Although the polls have showed a narrowing contest with Democrat Doug Jones, Alabama is a strongly Republican state and Democrats generally have little chance there.

A Moore victory would set up a potential clash with fellow Republicans in Congress, some of whom have resoundingly called on him to quit the race. While some have softened their rhetoric recently, others have said they still will try to expel him if he is elected.

An RNC official confirmed late Monday that the committee would once again be supporting Moore after severing its fundraising ties to his campaign last month. On Tuesday, the official said the RNC had made two transfers to the state party: one for \$50,000 and another for \$120,000.

The official spoke on condition of anonymity because the official was not authorized to discuss the transfers by name.

Trump’s former chief strategist Steve Bannon, Breitbart’s executive chairman, attended a rally with Moore Tuesday evening.

Buoyed by the taste of his own success in Congress as the Republican tax bill inches

closer to passage, Trump telephoned Moore on Monday to offer encouragement as well as support and also argued in a pair of tweets that Moore’s vote was badly needed to push the president’s policies forward.

Weeks ago, when accusations of sexual misconduct with teenagers first surfaced, Trump’s spokesman had said the president believed Moore would “do the right thing and step aside” if the allegations were true.

Top Republicans had vowed to expel him from the Senate if he wins. Publicly and privately, GOP leaders described the allegations against Moore as credible and insisted there were no circumstances under which he should serve in the Senate.

Moore’s campaign was wounded by accusations this fall of sexual misconduct, decades ago, made by women who were then teenagers. One of the women alleges he initiated sexual contact when she was 14.

Moore has denied the allegations, saying “I do not know any of these women. I did not date any of these women I did not engage in any sexual misconduct with anyone.”

Trump, who has repeatedly noted Moore’s denials, took a more political stance on Monday.

“Democrats refusal to give even one vote for massive Tax Cuts is why we need Republican Roy Moore to win in Alabama,” Trump tweeted. “We need his vote on stopping crime, illegal immigration, Border Wall, Military, Pro Life, V.A., Judges 2nd Amendment and more.”

In that same vein, longtime Alabama Sen. Richard Shelby said Trump’s endorsement didn’t surprise him. He said of the president, “I think he’s interested, a lot of us are, in the numbers, being a Republican.”

And Sen. Orrin Hatch, who traveled with Trump on Monday to Hatch’s home state of Utah, said he realistically didn’t have any choice. Hatch said of Moore, “That’s the only Republican you can possibly get down there at this time.”

Trump first appeared to back Moore after his first choice, Sen. Luther Strange, lost the GOP primary for the seat once held by Attorney General Jeff Sessions. But the president went silent after The Washington Post reported on the allegations of sexual misconduct with two teens, ages 14 and 16, and efforts to date several others while Moore was a local prosecutor in his 30s.

By late last month, however, with pressure mounting from Bannon and other corners of his base, Trump was making clear that he preferred Moore, raising doubts about the candidate’s accusers and criticizing Democrat Jones as the “liberal puppet” of Democratic leaders Chuck Schumer and Nancy Pelosi.



FILE - In this Nov. 9, 2017, file photo, Steve Bannon, speaks during an event in Manchester, N.H. Former White House strategist Bannon told CNN Tuesday, Nov. 28, 2017, he is going to campaign for Alabama Senate candidate Roy Moore at a rally in the state next week, making a strong show of support for the embattled Republican a week before the special election. The announcement came hours after The Associated Press reported that Bannon, who had not campaigned for Moore since days before the Sept. 26 Republican runoff, had no plans to campaign for Moore.

(AP Photo/Mary Schwalm, File)



ATTENTION!!

**Island-Wide Territorial Spelling Bee
will be held on Wed, Mar. 7, 2018**

**TO ALL ELEMENTARY SCHOOL SPELLING BEE WINNERS FOR 2018,
please email your Biographies and a Photo to
maelynnsamoanews@gmail.com/samoanews.ads@gmail.com.**

**OR drop it off at our office, located across from the ASG Port.
We are open from 8:00am until 4:00pm Monday through Friday.**

For more information please contact 633-5599.



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EDUCATION**



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A cold fog hovering above the steep Aoloau hill that is now lit up with the spirit of Christmas — a village community effort lead by Rev. Semo Tapaleao of the CCCAS Aoloau church as each family from the village was given an opportunity to decorate their own tree.

[photo: TG]

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