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For additional news, information and much, much, more about your government, visit the ASG Website at <http://www.american.samoa.gov>

American Samoa Community College Students maybe eligible for Tax Credit

The Tax Office and the American Samoa Community College are working on getting an estimated dollar amount the territory could receive under the American Opportunity Tax Credit, which is a provision of the American Recovery and Reinvestment Act (ARRA), more commonly known as stimulus funds.

Last year, the ASG was informed by the US Treasury Department about American Samoa's eligibility for this tax credit and just last week, the local Tax Office announced that the territory will receive funds from the US Treasury to pay the estimated amount to be distributed under this tax credit, which is for post secondary education not to exceed \$1,000 per college student.

The credit is claimed by using ASG Form 8863(a).

There have been no discussions as to the estimated amount to be received from the US Treasury but the Tax Office has requested that ASCC provide financial aid information for students so they can come up with an estimated figure.

According to the Tax Office, eligible students must meet ALL of the following requirements:

- Student has not completed the first four years of post secondary education,
- Student was enrolled in a program leading to a degree, certificate, or other recognized educational credential at an eligible educational institute, and was carrying at least one-half the normal full-time workload for the course of study the student was pursuing,
- Student has not been convicted of a felony offense for the distribution of a controlled substance, and
- The name and social security number of the student are shown on the tax return.

Qualified educational expenses pertain to tuition, fees, and expenses for course materials required by an eligible educational institution reduced by any tax free educational assistance. Eligible educational institution means any college, university, vocational school, or other post secondary institution that meets requirements of section 1088 of Title 20 of the United States Code.

The tax credit for eligible students is a maximum of \$1,000.

ASG RADIO PROGRAM

With: Gov. Togiola Tulafono

On: KSBS FM 92.1 Saturdays @ 7:30a.m.

DOE teachers get apology from Governor Togiola

Department of Education teachers who did not receive their paychecks earlier this month during the government's regular bi-weekly payday received an apology from Governor Togiola Tulafono who relayed the message during his weekend radio program.

(On February 1, some 300+ DOE personnel, including many teachers, did not get paid because the US Department of Education had not approved American Samoa's Consolidated Grant application for fiscal year 2009- and 2010.)

Those who were affected included many who live from paycheck to paycheck and have large families to support on a single paycheck. Checks were eventually disbursed during a supplemental run later in the week on Thursday.

Togiola explained that there are still issues that need to be addressed by the local DOE regarding federal funding sources. He said one of the problems is the change in applying for grants, and added that the local Department of Education should have paid closer attention to this issue far in advance, prior to the deadline for payroll submission to ensure that adequate funding was in place.

As with other cases involving federal grants, the ASG uses local funds and then the money is later reimbursed by the federal grantor. According to Togiola, there are times when local funding sources run very low while the grantor has yet to issue an approval.

Togiola said that when the decision was made to process payroll for the DOE personnel, officials were told not to let this happen again, and to make sure that the issue regarding a funding source is addressed before payroll submission.

Togiola concluded by thanking the teachers and acknowledging that ASG is partly to blame for not ensuring that those affected got paid when they were supposed to.

Appropriation for off-island referral program cannot be funded

Members of the Hospital Authority Board have been notified that the \$1.3 million appropriation that was approved by the Fono and signed into law by the Governor four years ago cannot be funded. The board was hoping that the funds, which were to come from unexpended and unobligated revenues from Fiscal Year 2008 and subsequent years, could be used to revive the off island referral program.

Governor Togiola Tulafono informed the Hospital Board during a meeting last week that the bill cannot be funded because ASG did not have any excess revenues from Fiscal Year 2007 up to Fiscal Year 2009. The Governor apologized to the board that the government was unable to come up with the money to cover the appropriations bill, and added that the administration will try to identify a revenue source to fund the off island referral program when the Fono reconvenes.

An increase in the excise tax on soda or water is expected.

About 75 patients have been approved for treatment off island. Everyone is advised to try and send their families off island if they can afford to, instead of waiting until ASG can come up with the money.

The off island referral program was suspended in 2008 because of the lack of funding.

SHARE IMPORTANT INFORMATION & ACTIVITIES IN YOUR ASG NEWSLETTER

with your ASG workforce as well as the citizens of American Samoa. Email your articles, announcements, pictures or other information to:

*Harry Stevens (harry.stevens@americansamoa.gov or
Jacinta Galea'i, Ph.D. (jacinta@americansamoa.gov)*

Airport Road Project to be carried out in phases

Three million dollars has been allocated for the first phase of the Airport Road Project. The Department of Public Works anticipates building the road in phases because availability of federal funding is not enough to carry out the project and complete it in one shot.

The first phase is now tentatively scheduled to be put out for bid later this year around September.

The \$3 million that has been allocated for the project is more than half of the Federal Highway Administration's normal budget allocation for American Samoa.

DPW director Taeaotui Punafo Tilei says they've decided to build the road in three phases based on available federal funds, and he totally understands the frustrations being voiced about the poor conditions of the highly traveled road.

According to the project design, the new road is to have three lanes in some sections, as well as a roundabout.

Other road projects being funded with FHWA's annual allocation of \$5 million to the territory are the Fagaalu Hospital Road, for which \$500,000 has been allocated. The same dollar amount has been allocated for rock fall mitigation.

About \$200,000 each has been allocated for a pedestrian bridge and highway safety improvements. Also on the list of projects is a sidewalk at the Tafuna Industrial Park for \$50,000.

Close to 1,500 people find temporary employment under NEG

Governor Togiola Tulafono has announced that the number of people that have been hired to work under the National Emergency Grant (NEG) program had reached 1,446 as of last week.

The NEG program provides temporary jobs to assist with debris clean-up, recovery, restoration, and humanitarian efforts following the September 29 disaster(s).

The Governor's Authorized Representative (GAR) Evelyn Vaitautolu Langford is currently working on hiring those who have already applied, and placing them at authorized worksites. So far, 45 worksites (15 under the American Samoa Government and the remaining for the private sector and non-profit organizations) have been approved, and 15 sites are still pending, the Governor explained during his weekend radio program.

Togiola said that while the jobs are not permanent, it at least provides employment for people to help their families financially - even if it is short-term - as the government seeks out a permanent solution.

Disaster Recovery Update:

Permanent Housing Construction Program:

Construction Orders have been issued for 4 - applicants. 20 - applicants have approved *Land Use Permits* and 47 with approved *Site Inspection Requests*.

The Construction Orders for the (3) applicants are for three 2-bedroom homes and one 1-bedroom home.

The public is also advised to keep children away from construction sites. Safety is of utmost concern.

NEG (National Emergency Grant) Update:

A U.S. Department of Labor Disaster Grant Program to assist with debris clean up, recovery, restoration and humanitarian efforts as a result of the disaster.

- Certified worksites: 52
- Worksites awaiting certification: 8

Temporary disaster workers hired to date: **1478**

A meeting with all worksites was held by the NEG office this past week to remind them of the administrative requirements for compliance with the federal grant program.

American Samoa Disaster Relief and Recovery Fund:

A donation of \$40,500 was presented to Governor Togiola by the NFL Cincinnati Bengals, Domato Peko, Jonathan Fanene and Rey Mauaalu.

A donation of \$5,000 was given by the Bahai Faith Foundation.

HISTORICAL NOTES

By: Stan Sorensen, Historian, Office of the Governor

On February 16, 1944, the destroyer repair base "at the foot of Mt. Alava, directly across the bay from the [U.S.] Naval Station" [Tutuila] was declared "ready for full operation."

On February 17, 1887, the Honorable John E. Bush (Hawaiian King Kalakaua's Minister Plenipotentiary to the Kings of Samoa and Tonga) and Samoa's King Malietoa Laupepa signed a Treaty of Confederation between Hawaii and Samoa. Bush became Hawaii's Ambassador to Samoa. "The signature was celebrated by a drunken orgy, from which Malietoa, always decent, retired early. He said to one of the legation: 'If you have come here to teach my people to drink, I wish you had stayed away.'"

On February 17, 1900, Commander Benjamin Franklin Tilley, United States Navy, became American Samoa's first naval governor (until November 27, 1901), although his official designation was "Commandant, U.S. Naval station Tutuila." Commander Charles Brainard Taylor Moore was the first governor to be so designated (as "Governor of Tutuila," on January 30, 1905). The first person designated as "Governor of American Samoa" was Commander William Michael Crose, on July 17, 1911.

On February 17, 1941, the Chief of Naval Operations, Admiral Harold Raynsford Stark, instructed the Commandant of the U.S. Naval Station Tutuila, Captain Laurence Wild, to construct "a double anti-torpedo net extending from Blunts Point to Whale Rock (300 yards), and then about 300 yards further to the east, leaving a channel of about 300 yards on the eastern side of the entrance" to Pago Pago Harbor. The cost was estimated at \$137,000, not including the cost of the sono-buoy.

On February 17, 1944, the U.S. Naval Station Tutuila's destroyer repair base (located below Mt. Alava in Pago Pago Harbor) was completed, and was officially designated as "'U.S. Naval Ship Repair Unit, Navy 129.' The total cost for construction of buildings at this unit was estimated at \$884,860.00; for machinery, \$344,232.50; and vehicles, \$48,489.63."

On February 19, 1900, President William McKinley put Tutuila and all the Samoan islands east of 171 degrees west longitude under the authority of the U.S. Navy. On the same day, Secretary of the Navy John D. Long named these islands "U.S. Naval Station Tutuila."

On February 19, 1944, "'Operation Roll-Up,' a South Pacific operation to close unneeded bases and move them to other locations" began. "Within a month many Samoan barracks, mess halls and administrative buildings had been removed."

On February 20, 1929, the U.S. Congress approved the cession of Tutuila (which occurred on April 17, 1900) and Manu'a (which was signed by Tui Manu'a Elisara on July 14, 1904 and was recorded at the Courthouse on July 16, 1904).

On February 20, 1929, the U.S. Congress created a Commission (the "American Samoan Commission") to recommend an organic act for the Government of American Samoa. The members were: Senator Hiram Bingham, Republican of Connecticut, Chairman; Senator Joseph T. Robinson, Democrat, Arkansas; Representative Carroll L. Beedy, Republican from Maine, and Representative Guinn Williams, Democrat of Texas. President Calvin Coolidge had appointed Chiefs Mauga Palepoi (Eastern District Governor) Tufele Fa'ato'ia (Manu'a District Governor) and Magalei Siasulu ("a representative of the *Manu'*") as the Commission's Samoan members. Captain William Rea Furlong, Chief of the Navy Department's Office of Island Governments, was designated to accompany the Commission to American Samoa as an advisor and paymaster.

On February 20, 1992, American Samoan playwright and screenwriter John Kneubuhl (born July 2, 1920) died on the eve of the première performance of his last play *Think of a Garden*.

On February 22, 1916, Mr. David Dykstra signed a contract to become the principal of American Samoa's high school, which was a small wooden building. Mr. Dykstra's contract included the following provisions: "salary \$100 a month for the first year, then \$110 a month; transportation furnished; free quarters; if not, \$10 a month extra in lieu thereof."

On February 22, 1916, the first class of Samoan nurses graduated from the U.S. Navy's Nurses' Training School in Fagatogo, American Samoa.

Coral Reef Advisory Group

Upcoming Events:

On January 21, 2010, scientists from the Coral Reef Ecosystem Division of the NOAA Pacific Islands Fisheries Science Center, along with visiting scientists from San Diego State University and the US Fish and Wildlife Service, departed on a three month expedition aboard the NOAA Ship *Hi'ialakai*. This is the fifth biennial Pacific Reef Assessment and Monitoring Program expedition to American Samoa and the seventh to the Pacific Remote Island Areas. As part of the cruise, there is an open house on Monday, February 15th from 1-3 pm where CRAG members can tour the ship and speak with some of the scientists.

Fagatele Bay National Marine Sanctuary is proud to sponsor an education cruise, for high school students, aboard the *Hi'ialakai* on March 23, 2010, from 8:30am until 2:30pm. This provides an opportunity for some of our high school students to participate and learn from the scientists on board the ship, as well be involved with hands on experiments and activities. Because of limited space, we can only accommodate one student per high school. The selected student will spend one day on the *Hi'ialakai* completing activities such as plankton tows, bottom sediment studies, water quality tests, and navigation lessons. This is a great opportunity for students to participate in "real-time" marine science. A student registration form can be obtained from the school principal and we ask that these forms be completed and sent to FBNMS' office no later than February 10, 2010.

Other Updates:

A new report documenting the inland extent of inundation from the September 29, 2009, tsunami on Tutuila is now available at <http://pubs.usgs.gov/of/2010/1018/> Geological Survey scientists investigated the coastal impacts of the tsunami in Tutuila, American Samoa in October and November 2009, including mapping the alongshore variation in the limit of inundation. Knowing the inundation limit is useful for planning safer coastal development and evacuation routes for future tsunamis and for improving models of tsunami hazards. This report presents field data documenting the limit of inundation at 18 sites around Tutuila collected in the weeks following the tsunami using Differential GPS. In total, 15,703 points along inundation lines were mapped.

OFFICE OF THE ATTORNEY GENERAL DEPARTMENT OF LEGAL AFFAIRS AMERICAN SAMOA GOVERNMENT

NOTICE OF INTENDED ACTION TO AMEND ADMINISTRATIVE RULES ON IMMIGRATION FEES

NOTICE IS HEREBY GIVEN that on March 1, 2010, the Department of Legal Affairs intends to amend certain immigration rules in Chapter 03, Title 4; section 41.0406; and Chapter 10, Title 4 of the American Samoa Administrative Code, to conform these rules to changes in the law relating to the immigration board and permanent residence, and current policies and practices involving ministers, missionary workers, adoption decrees, entry permits, certificate of identities, fees, and to correct grammatical and typographical errors.

A copy of the proposed changes to the above-referenced administrative rules is available and may be picked up at the Office of the Attorney General at the A.P. Lutali Executive Office Building in Utulei Village. Interested persons may submit written comments on views, arguments, data or other information on the proposed amendments to the Office of the Attorney General on or before February 19, 2010.



American Samoa 4th Constitutional Convention Review Office

It's been more than two decades since the Territory reviewed its Constitution, as mandated by the Revised Constitution of American Samoa.

On March 16, 2009, Governor Togiola Tulafono signed Executive Order 004-2009 to establish the American Samoa Constitutional Convention Office to prepare for the American Samoa Constitutional Convention on June 2010.

Afoa L. Su'esu'e Lutu has been appointed the Executive Director responsible for reviewing issues affecting the Constitution and preparing information for this important event.

In the next coming weeks, Delegates representing the community and government to the Convention will be selected and town halls will take place near your community to discuss the process and issues affecting our Constitution.

Your voice is important in this political process. We urge you to convene your own meetings and to participate in these deliberations to ensure that your views are considered in the up-coming Convention.

Plans for the upcoming Convention in June are now underway. If you are interested in volunteering for the Constitutional Review Office, please contact Sagatea Filoialii at 633-1582 or visit our Office on the 2nd floor of the Executive Office Building in Utulei.

First Forum: ASCC, Thursday, March 11, 2010, 12:30 pm.

Convention Date: June 21 – July 2, 2010.

Location: Lee Auditorium

For Additional information, please contact our office at (684)633-1582.