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EXECUTIVE ORDER NO. 014 -2010

AN ORDER CREATING THE DEPARTMENT OF INFORMATION TECHNOLOGY,
DEFINING ITS DUTIES, RESPONSIBILITIES AND POWERS.

This Order is executed herewith to create and centralize an Information Technology organization within the American Samoa Government. Consolidating territory wide IT functions and assets will standardize IT governance and information security, increase transparency in IT spending and promote greater coordination and efficiency within government operations while drastically reducing costs.

WHEREAS the local economy, the financial system on which the economy relies, and the Territory's budget are now under significant stress; and

WHEREAS the American Samoa Government (ASG) must strive to achieve every possible efficiency in its operations and delivery of services to the people of the Territory; and

WHEREAS certain functions, duties and responsibilities currently assigned to other ASG departments can be more effectively carried out by a new Department of Information Technology (IT); and

WHEREAS reorganizing IT management functions into a new department with a cabinet-level Director will promote a unified approach to IT management for executive branch agencies; and

WHEREAS the creation of a new Department of Information Technology will improve the management of IT investments and allow the Territory to establish stronger strategic relationships with business partners; and

WHEREAS the creation of a new Department of Information Technology will strengthen central policy making and direction-setting in all areas of IT, bringing about improved information management and data standardization, and catalyzing the use of improved project management practices and strategic technology infrastructure planning; and

WHEREAS the Department of Information Technology is created to minimize overlap, redundancy and cost in government operations by promoting the efficient and effective use of information technology and telecommunications; and

WHEREAS leveraging shared services and consolidating IT and telecommunications equipment, resources and investments have been proven to achieve greater efficiency, cost-effectiveness and environmental sustainability in information technology and telecommunications operations.

Section 1. Authority.

This Order is issued pursuant to authorities set forth in Sections 6 and 7 of the Revised Constitution of American Samoa and Section 4.0111 of the American Samoa Code Annotated.

This Executive Order shall apply to all territory agencies in the executive branch. As used in this Order, "territory agencies" (or "agencies") shall include all executive offices, boards, commissions, agencies, departments, divisions, councils, bureaus, and offices, now existing and hereafter established.

Section 2. Creation of Department and Director.

The Department of Information Technology is herewith created. This Department shall be headed by a Director who shall be appointed and serve under the leadership of the Governor. The Director shall also serve as the Territory's Chief Information Officer.

The Department shall lead Territory efforts to re-engineer the American Samoa Government's information technology infrastructure with the goal of achieving the use of common technology across the executive branch.

The Department shall coordinate a unified executive branch strategic information technology plan, identify best practices from executive branch agencies and other public and private sector entities, and develop and implement processes to replicate information technology best practices and standards throughout the executive branch.

The Department shall develop standards for application development including, but not limited to, a standard methodology and cost-benefit analysis that all executive branch departments and agencies shall utilize for application development activities.

The Department shall have the full cooperation of executive branch departments, agencies, and offices in developing and implementing the sharing of data and information throughout the executive branch. Furthermore, the Department will standardize data elements and shall determine data ownership assignments among executive branch entities.

The Department shall serve as a general contractor between the Territory's information technology users and private-sector providers of information technology products and services. The Department shall work toward building stronger partnering relationships with providers.

The Department shall establish a Green IT program by employing industry best practices to ensure compliance with environmental legislation and federal mandates. An Asset Management program shall be created to oversee and track a product's entire lifecycle from acquisition, to utilization, to disposal to ensure electronic waste (e-Waste) procedures are being practiced.

Green IT initiatives will be implemented and practiced to reduce energy consumption and to promote awareness and sensitivity to American Samoa's environment and ecosystem.

The Department shall implement e-Government initiatives across the executive branch to provide services to the citizens of American Samoa and to allow them to conduct business online. Websites and portals will be developed to allow citizens to obtain copies of vital records, pay taxes online, or gain access to non-private health information, housing, public safety and many others.

Section 3: Powers, Duties and Responsibilities

The Department, through the Director, shall have the authority to coordinate executive branch IT planning by:

- Reviewing and approving Consolidation Plans, IT procurement plans, IT contracts and setting timeframes for infrastructure consolidation;
- Review government construction projects to ensure compliance for information technology standards for the construction of new government facilities;
- Reviewing and approving IT budget requests and establishing IT budget priorities, including for all major IT projects regardless of funding source;
- Developing a comprehensive multi-year strategic plan for IT for the executive branch, which addresses the acquisition, management and use of IT and specific projects that implement the strategic plan;
- Issuing policies, standards and guidelines governing IT procurement, development and maintenance; and
- Identifying opportunities for cost savings based on standardization, cross-agency collaboration, use of shared services and centralization of resources.

The Department, through the Director shall have authority for IT procurement policy, enterprise IT management and shall work closely with the Office of Procurement to award IT contracts based on the Best Value procurement law requiring the most beneficial relationship between price and vendor performance, considering multiple factors such as quality, total cost of ownership, technical merit, vendor's past performance, timeliness, and compliance with industry standards, and IT security.

The Office of Procurement shall be jointly responsible for coordinating procurements and contract awards in close collaboration with ITD and the Director. At current, procurements are not conducted in accord with a consistent policy or with an eye toward standardization and compatibility. ITD will provide this technical assistance and guidance to the Office of Procurement. Adherence with this directive shall result in greater efficiency for the ASG as a whole.

The Department, through the Director shall have authority over all ASG IT infrastructure and shared services, including, but not limited to: Data and telecommunications networks; Data center services, including all equipment necessary to operate mission-critical and public-facing applications (e.g., servers, storage, switches, security devices, and mainframes); Hosting of mission-critical and public-facing applications; Shared enterprise services (e.g., e-mail and directory); and Help Desk Support.

The Department, through the Director, will establish and enforce Information Technology strategic plans, policies, standards and enterprise architecture, as well as approve IT projects for all Departments, Agencies, and Offices with ASG.

Section 4: Reports.

The Department shall develop systems and methodologies to review, evaluate and prioritize existing IT projects within the executive branch and shall report to the Governor the status of IT projects on a quarterly basis.

Section 5: Interagency Coordination.

The Department shall develop service level agreements with executive branch departments and agencies to ensure quality products are delivered on schedule and within budget.

Section 6: Definitions.

As used in this Order:

a. "Information technology" means hardware, software, geographical information systems, geospatial and telecommunications equipment, including but not limited to personal computers, mainframes, wide and local area networks, servers, mobile or portable computers, peripheral equipment, telephones, wireless communications, handheld devices, public safety radio services, facsimile machines, technology facilities including but not limited to data centers, dedicated training facilities, switching facilities, and other relevant hardware and software items as well as personnel tasked with the planning, implementation, and support of technology.

b. "Infrastructure Services" shall mean data and telecommunications networks, data center services, web site hosting and portal services (except the provision of website information architecture and content), and shared enterprise services such as email and directory services.

c. "Telecommunications" means any origination, transmission, emission, or reception of signs, signals, writings, images, and sounds or intelligence of any nature, by wire, radio, television, optical, or other electromagnetic systems.

Section 7: Miscellaneous

The Director shall provide executive direction during a transition phase providing supervision for the implementation of all IT related transfers of authority to the Department of Information technology made under this Order. The transition phase for said activities to take place will commence the date this Order is signed and will expire 31 December 2010.

The Director of Information Technology and the Directors of all executive branch departments and agencies shall jointly identify the program positions and administrative function positions whose IT role, function and responsibility will be subject to enhancement and guidance provided by the Department of Information Technology according to the terms of this Order. The Director shall develop a written recommendation specifying the positions that are subject to this provision. The Director of Information Technology shall submit the recommendation to the Governor no later than October 1, 2010 for his consideration and approval.

In order to coordinate the IT development of all agencies of the executive branch, ITD shall have access to all IT records, personnel, property, equipment, grants information used, held, employed, available or to be made available to any agency for the activities, powers, duties, functions and responsibilities transferred to the Department of Information Technology by this Order and hereby transferred to the Department of Information Technology. All agencies of the executive branch shall grant this access to ITD to the furthest extent possible.

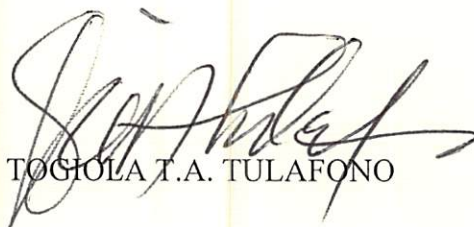
The Director of the Department of Information Technology may establish an administrative unit, including budget, personnel, information systems, internal audit, procurement, legislative and other related administrative functions.

The Director of the Department of Information Technology may hire or retain such contractors, sub-contractors, advisors, consultants and agents as the director may deem advisable and necessary, in accordance with relevant local procedures, statutes, rules and regulations to provide legal advice or legal services, to provide for research and development activity, and/or to provide strategic planning services.

Section 8: Immediate effect.

This Executive Order shall take effect immediately and shall continue in effect until amended, superseded or revoked by subsequent Executive Order.

Dated: September 9, 2010.



TOGIOLA T.A. TULAFONO