



OFFICE OF THE GOVERNOR

American Samoa

LOLO L. M. MOLIGA
GOVERNOR

LEMANU P. MAUGA
LIEUTENANT GOVERNOR

EXECUTIVE ORDER NO. 019-2013

**EXECUTIVE ORDER ESTABLISHING AN
AMERICAN SAMOA HISTORICAL RECORDS ADVISORY BOARD**

Section 1. Authority

This Executive Order is issued under the authority granted to the Governor in Article IV, Section 6, American Samoa Revised Constitution, and Title 4 A.S.C.A. Section 4.0111(b).

Section 2. Preamble

Physical and linguistic archaeologists believe that Samoans have been in these islands for over 3,000 years, however, actual written records are less than 300 years old. While descriptions and accounts from exploring expeditions, whalers, missionaries and traders comprise the earliest writings, formal government recordkeeping only began about 150 years ago.

After the Convention of 1899 between the United States, Germany, and Great Britain "to adjust amicably the questions which have arisen between them in respect to the Samoan group of Islands," the High Chiefs of Tutuila and Manu'a ceded their respective Islands of Eastern Samoa to the United States in the Cession of Tutuila and Aunu'u, and the Cession of Manu'a Islands, in exchange for the preservation of their traditional inalienable rights. Subsequently, official American Samoa Government records began on April 17, 1900 in Tutuila and, on July 16, 1904 in Manu'a.

The historical archives and records of American Samoa are a unique testament to our development as a U.S. territory and our contributions here and abroad as U.S. Nationals and citizens of the United States.

Section 3. Purpose

For centuries, preserving historical records was a matter of transcribing the contents of stone inscriptions, clay tablets, papyrus scrolls, skin parchment, palm leaves or barkcloth codexes onto paper. While American Samoa's records are predominantly paper, in modern times the advent of photography, rpm records, motion picture film, audiotape, magnetic discs

and electronic digital media has diversified its holdings. However, without preservation and publication, these records could be lost. For example, Land and Matai titles records damaged by the 2009 Tsunami could vanish forever if not properly conserved. Individual family, church, business and village record collections are also at risk of disappearing forever. The need to prevent the deterioration and loss of American Samoa's written and multi-media history is therefore an obligation to the past, present and future. Conservation of American Samoa's significant public and private archives and records should be ensured. For these reasons, an American Samoa Historical Advisor Board is established pursuant to CFR36 XII Subchapter A Part 1206, a federal law created to encourage the preservation and publication of the historical and cultural holdings of America's States and Territories.

Section 4. Establishment of Board

- a. An "American Samoa Historical Records Advisory Board" is hereby established.
- b. **Membership.** This Board shall consist of eight (8) qualified individuals appointed by the Governor, each, of whom will serve a 4 year term. If possible, there will be a balance of public and private repository representatives. The Territorial Archivist will serve as the initial Board Chairperson for 2 years. Thereafter, the Board Chairperson will be elected by board members every 2 years. A Deputy Chairperson will also be elected every 2 years. The board Chairpersons will be responsible for orientation of board members, meeting agenda and notifications, recordkeeping, professional guidance, research, reports, correspondence and any other duties required by the Board pursuant to all applicable American Samoa and Federal Laws.
- c. A secretary will be elected every 2 years. The Secretary shall be responsible for keeping the record of the Board's activities.
- d. **Funding.** The Board shall be empowered to seek funding for meeting expenses, project equipment and supplies and utilities via public or private grant opportunities, philanthropy, fund raising or donations. A Board Treasurer shall be elected every two years. All monies obtained and expended shall be a matter of public record.
- e. Any member absent from two or more board meetings may be subject to a board exclusion vote. Appointments made to fill vacancies will be made to fill the portion of the unexpired term.
- f. During meetings, parliamentary procedure shall be followed. A majority of the appointed members of the advisory body shall constitute a quorum for the transaction of business. An affirmative vote of the majority of a quorum in attendance at any meeting shall be necessary to transact business or carry any proposition.
- g. In carrying out its duties and responsibilities, the Board shall follow the regulations of CFR36 XII Subchapter A Part 1206 and the guidelines provided by the National Historical Records and Publications Commission (NHPRC).

- h. The Board's initial scope of work shall be to:
1. Create a Strategic Plan for the preservation and publication of the historical archives and records of the territory of American Samoa. Development of the Strategic Plan shall require at the minimum two public hearings requiring adequate notice and publication of a draft plan.
 2. Offer educational presentations on current archives and records management conservation trends and issues, for example, digital archiving and emergency records preparedness.
 3. Plan and implement an annual "Archives Month".

Subsequent objectives will be decided upon by the board upon completion of their primary goals.


- i. The Board members will espouse the fundamental principles of the NHPRC "Archivist's Code"; the Society of American Archivists "Revised Code of Ethics"; and, the National Endowment of the Humanities' "Code of Ethics Related to Native Americans".
- j. The following members are herewith appointed to the Board:

Okenaisa Fauolo	ASHC member (ASCC Samoan Studies)
Terry Fielding	Clerk of the High Court
Tua Lokan	Records Specialist
Cheryl Morales	Territorial Librarian
David Herdrich	Historic Preservation Officer
James Himphill	Territorial Archivist
Taifita Solomona	Registrar of Vital Statistics
Sam White	Territorial Registrar

Section 6. Effective Date

This Executive Order shall be effective immediately upon signing.

Dated: October 8, 2013


LOLO M. MOLIGA
Governor of American Samoa



DEPARTMENT OF ADMINISTRATIVE SERVICES
American Samoa Government
Pago Pago, American Samoa 96799
Phone: (684) 633-4156/4157/4158 - Fax: (684) 633-1841

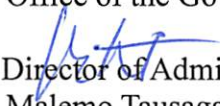
HON. LOLO M. MOLIGA
Governor

HON. LEMANU P. MAUGA
Lt. Governor

MALEMO L. TAUSAGA
Director

ELIKI AFALAVA
Deputy Director

TO: Governor Lolo M. Moliga
Office of the Governor

FROM:  Director of Administrative Services
Malemo Tausaga

RE: Creation of an American Samoan Historical Records Advisory Board.

DATE: September 23, 2013

Received in Governor's Office

On 9/24/13 time _____
By mt

Earlier this year, Attorney General Afoa L. Su'esu'e Lutu suggested the establishment of a local National Historical Publications and Records Commission (NHPRC) group, the Am. Samoa Historical Records Advisory Board (copy attached). In this regard, he took the initiative to submit an NHPRC application seeking startup funding for a board that would draft a "Strategic Plan" and host an "Archives Month" during 2014. I am writing in support of these actions. Creating such a board would help the Dept. of Adm. Services improve it's public services and also enable all ASG departments and the general public to apply for annual NHPRC grant funding opportunities.

Each State or Territory wishing to participate in an NHPRC State program must therefore adopt an appointment process for it's board that follows the NHPRC's "Manual of Suggested Practices". These guidelines say that the appointment process can be via a Statute, Administrative Rule, Executive Order or a formal agency or board notice. An Executive Order is therefore recommended and a draft is herewith attached for your approval or revision. Per NHPRC guidelines, board nominees should be skilled in archives and records management and broadly representative of their locale's major public and private archives, records offices, and research institutions and organizations. While Territorial Archivist Himphill and the seven nominees have already expressed their willingness to serve, alternate nominees can of course be substituted at your preference. I therefore look forward to your possible response regarding this matter.



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

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HON. LOLO MATALASI MOLIGA
GOVERNOR

AFOA L. SU'ESU'E LUTU
ATTORNEY GENERAL

HON. LEMANU PELETI MAUGA
DEPUTY GOVERNOR

TO: Governor Lolo M. Moliga
Office of the Governor

SERIAL: 2857-13

FROM: 
Attorney General Afoa L. Su'esu'e Lutu
Office of the Attorney General

RE: Re-establishment of an Am. Samoa Government Historical Records Advisory Board.

DATE: June 5, 2013

Enclosed for your information and enjoyment is a copy of the 2012 Annual Report of the NHPRC, the National Historical Publications and Records Commission, a division of the U.S. National Archives in Washington, D.C. The NHPRC exists to preserve and publish the history and culture of America and its Territories. One way it does this is through the establishment of state and territorial historical records advisory boards (SHRABs) pursuant to CFR36 XII SubA Part 1206. Under this federal law, the Governor of each state or territory can appoint a six board team led by its state or territorial archivist to promote historical records consciousness and to review NHPRC grant applications from their respective state or territory.

Governor A.P. Lutali had therefore established the first American Samoa Historical Records Advisory Board (ASHRAB) in 1994. Its members were the American Samoa Historical Commission (ASHC) appointees and the Territorial Archivist. The first ASHRAB was successful in obtaining several grant awards that were used to conduct joint ASHRAB-ASHC meetings; create a 5 yr. strategic plan for archives and records; hold professional conservation workshops and records management trainings; award regrants that published a few historical documentary publications; conserve early High Ct. Land and Matai Title files; and support annual Amerika Samoa Humanities Council History Day activities and events. Unfortunately these activities ceased in 2005 at the start of the Governor Tulafono administration.

However, with a new administration now in place, it is now proposed that ASHRAB be re-established. While initial 2013 funding to reestablish a board would be limited to \$5000, subsequent eligibility would allow local ASG agency applicants to compete for up to \$275,000 from 2014-2016. Some possible Dept. of Legal Affairs projects can include improving access to its historical records via an online, revenue generating, digital cloud archives or engaging in partnership grants that promote the preservation and use of records that help society understand American Samoa's Democracy, History and Culture. Public historical records would be limited to unrestricted holdings more than 72 yrs. old. I therefore look forward to perhaps meeting with you at your convenience to discuss these matters. In addition, I am also enclosing a recently received COSA Council of State Archivists publication that explains why archives are important.

EXECUTIVE ORDER NO. __ - 2013

AN EXECUTIVE ORDER TO ESTABLISH AN
AMERICAN SAMOAN HISTORICAL RECORDS ADVISORY BOARD

Section 1. Authority

This Executive Order is issued under the authority granted to the Governor by Article IV Section 6 of the 1967 Revised Constitution of American Samoa.

Section 2. Preamble

Physical and linguistic archeologists believe that Samoans have been in their islands for over 3000 years, however, their actual written records are less than 3 centuries old. While descriptions and accounts from exploring expeditions, whalers, missionaries and traders comprise their earliest writings, formal government recordkeeping only began about 150 yrs. ago in 1873, when the first national Samoan Government was formed by the High Chiefs of Tutuila, Upolu and Savaii. After the 1884-1889 Samoan Government Civil War and the International Tripartite Government of 1890-98, the High Chiefs of Tutuila and Manu'a acknowledged the 1899 Washington Convention annexations in exchange for the preservation of their traditional inalienable rights. Subsequently, official American Samoan Government records began on April 17, 1900 in Tutuila and, on July 16, 1904 in Manu'a. The historical archives and records of American Samoa are therefore a unique testament of their development as U.S. Nationals and Citizens of the United States.

Section 3. Purpose

For centuries, preserving historical records was a matter of transcribing the contents of stone inscriptions, clay tablets, papyrus scrolls, skin parchment, palm leaves or barkcloth codexes onto paper. While American Samoa's records are predominantly paper, in the last few centuries, the advent of photography, rpm records, motion picture film, audiotape, magnetic discs and electronic digital media has diversified its holdings. However, without preservation and publication, these records could be lost. For example, Land and Matai Titles records damaged by the 2009 Tsunami could vanish forever if not properly conserved. Individual family, church, business and village record collections are also at risk of disappearing forever. The need to prevent the deterioration and loss of American Samoa's written and multi-media history is therefore an obligation to the past, present and future. Conservation of American Samoa's significant public and private archives and records should therefore be ensured. For these reasons, an American Samoa Historical Records Advisory Board is herewith established pursuant to CFR36 XII SubA Part 1206, a federal law created to encourage the preservation and publication of the historical and cultural holdings of America's 50 States and 5 Territories.

Section 4. Establishment of a Board

- a. An "American Samoa Historical Records Advisory Board" is herewith established.
- b. **Membership.** This Board shall consist of eight (8) qualified individuals appointed by the Governor, each of who will serve a 4 year term. If possible, there will be a balance of public and private repository representatives. The Territorial Archivist will serve as the initial Board Coordinator for 2 yrs. Afterwards, the Board Coordinator will be elected by board members every 2 yrs. A Deputy Coordinator will also be elected every 2 yrs. The Board Coordinators will be responsible for orientation of board members, meeting agenda and notifications, recordkeeping, professional guidance, research, reports, correspondence and any other duties required by the Board pursuant to all applicable Am. Samoan and/or Federal Laws. In this regard, the board shall follow the regulations of CFR36 XII SubA Part 1206 and the guidelines provided by the National Historical Records and Publications Commission (NHPRC). Any member absent from two or more board meetings may be subject to a board

exclusion vote. Appointments made to fill vacancies will be made to fill the portion of the unexpired term.

- c. During meetings, parliamentary procedure shall be followed. A majority of the appointed members of the advisory body shall constitute a quorum for the transaction of business. An affirmative vote of the majority of a quorum in attendance at any meeting shall be necessary to transact business or carry any proposition. A Secretary will be elected every 2 yrs.
- d. The Board's initial scope of work shall be to
 - .1 Create a Strategic Plan for the preservation and publication of the historical archives and records of the Territory of American Samoa by conducting two public forums.
 - .2 Offer educational presentations on current archives and records management conservation trends and issues, ie. digital archiving and emergency records preparedness.
 - .3 Plan and implement an annual "Archives Month"Subsequent objectives will be decided upon by the board upon completion of their primary goals.
- e. The Board members will espouse the fundamental principles of the NHPRC "Archivist's Code"; the Society of American Archivists "Revised Code of Ethics"; and, the National Endowment of the Humanities' "Code of Ethics Related to Native Americans".
- f. Funding. The Board shall be a non-profit group and is empowered to seek funding for meeting expenses, project equipment and supplies and utilities via public or private grant opportunities, philanthropy, fund raising or donations. A Board Treasurer shall be elected every 2 yrs. All monies obtained and expended shall be public information.
- g. The following members are herewith appointed:

Okenaisa Fauolo ASHC member (ASCC Samoan Studies)

Terry Fielding Clerk of the High Court

Tua Lokan Records Specialist

Cheryl Morales Territorial Librarian

David Herdritch Historic Preservation Officer

James Himphill Territorial Archivist

Taifita Solomona Vital Statistic

Sam White Territorial Registrar

Section 6. Effective Date

This Executive Order shall be effective immediately upon signing.

Dated: _____ 2013

LOLO M. MOLIGA
Governor of American Samoa



Office of the Governor
From the Desk of the Legal Counsel

Date: 19/01/13

To: Tu

Subject: Attache

- review and advise
- reply direct
- let's discuss
- draft reply for signature
- return for additional information
- file

I support fully. Creation of the
A. S. Historical Records Advisory
Board will open a grant-funded
source of funds to improve our
records and archival management.
This is particularly important to
High Court and TRO.

If approved by Gov, return to
me and we'll finalize an Ex. Order.

SHL



Office of the Governor
From the Desk of the Legal Counsel

Date: 10/5/13

To: Gov.

Subject: A.S. Historical Records Board

- review and advise
- reply direct
- let's discuss
- draft reply for signature
- return for additional information
- file

EO-019

Gov - as recommended by AG and Director DAS, this X-0 creates A.S. Historical Records Advisory Board.

This will enable \$200K to \$300K per year of grant funds to preserve and manage gov't records and archives.

SHL