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EXECUTIVE ORDER NO.: 005-2009

AN ORDER ESTABLISHING THE TERRITORIAL POPULATION COMMISSION, PROVIDING FOR ITS MEMBERSHIP, DUTIES AND RESPONSIBILITIES

Preamble.

WHEREAS, population pressure is one of the most significant threats to our natural resources, our island and thus our current and future quality and way of life;

WHEREAS, approximately 40% of our population is under the age of 15, and thus future population growth in American Samoa is imminent as these youth will grow up to have families of their own and further contribute additional population pressure to the resources of the Territory;

WHEREAS, immigration policies have a significant role in controlling the effects of population change in the territory as foreign migrants strain our basic social services and significantly modify the composition of our population, based on the fact that nearly half of the current population of American Samoa was not born here;

WHEREAS, there is not a man, woman or child in American Samoa who will escape the impact of population growth if the problem is left unchecked, as increasing numbers of residents will require more vehicles for transportation needs, more classrooms for their children, increased hospital services for emergency care, more houses to live in, a sufficiency of clean water to drink, more waste to dispose of, and many other demands of an expanding population;

WHEREAS, the Population Summit of 2008 called for immediate, collaborative government action via the establishment of a Population Commission in order to address the key issues of Immigration, Health, Environment, Smart Planning, Family Planning, and Youth and Gender Issues.

NOW, THEREFORE, by the authority vested in the Governor of American Samoa under the Constitution and laws of American Samoa, a Population Commission is hereby established which will:

- A. Strive to improve the quality and way of life for American Samoa residents via effective and integrated planning;
- B. Coordinate the collaborative development, implementation and evaluation of multi-sector population policies/projects;

- C. Consist of full time staff and/or interagency/community representatives that will oversee programs and/or projects that foster sustainable population growth and diminish its harmful effects in American Samoa;
- D. Increase the public awareness of the Territory's population issues via strategic and targeted education, outreach and social marketing campaigns; and
- E. Provide a dynamic, integrated forum for the American Samoa Government, private sector, and community members to actively assist with the management of population pressures in the territory.

The Population Commission shall have the membership and operational powers and functions set forth below.

Section 1. Membership

The Population Commission membership shall include at the Governor's discretion, the directors or their official designees from the Departments of Commerce, Health, Youth and Women's Affairs, Legal Affairs, and Education. Within the Commission, there shall be five working groups focused upon selected issues and advising the Commission within each group's purview. The groups are: Environment, Planning and Policy; Youth and Gender Issues; Reproductive Health; Education; and Immigration.

- A. The Environment, Planning, and Policy group shall consist of agencies and groups mandated to work on issues related to the natural environment, land-use planning, and Governmental policies and shall be coordinated by the Department of Commerce.
- B. The Youth and Gender Issues group shall consist of agencies and groups mandated to work on issues related to women and American Samoa's youth. The group shall be coordinated by the Department of Youth and Women's Affairs.
- C. The Reproductive Health group shall consist of agencies and groups mandated to work on issues related to health and reproduction. The group shall be coordinated by the Department of Health.
- D. The Education group shall consist of agencies and groups mandated to work on issues related to education and will be coordinated by the Department of Education.
- E. The Immigration group shall consist of agencies and groups mandated to work on issues related to immigration and shall be headed by the Department of Legal Affairs.

Each group's topical jurisdiction shall be construed broadly enough to allow for the inclusion of other issues related to the group's purview and to ensure that each issue is properly addressed.

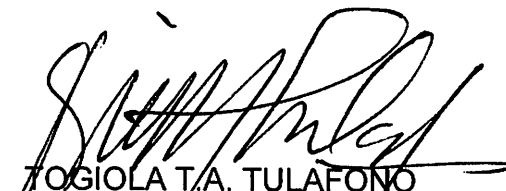
Section 2. Duties and Responsibilities

- A. The Population Commission shall elect a Chair and Vice Chair, with coordinating responsibility provided by the Department of Commerce.
- B. The Population Commission shall issue advisory reports to the Governor, upon request by the Chief Executive and no fewer than twice each year, on the first Monday of every July and December detailing progress, recommendations, recent developments, and specific findings as well as an update on ongoing projects/programs.
- C. The Population Commission shall issue an annual summary to the American Samoa Legislature and American Samoa Judicial Branch detailing progress, recommendations, recent developments and specific updates on continuing projects/programs. As needed, the Population Commission will liaise with the Legislature and Judicial branch on specific recommendations and efforts.
- D. The Population Commission shall assist and coordinate the various American Samoa Government departments to cooperate fully with the functions that they are expected to perform in implementing a Territorial policy on population issues.
- E. The Population Commission shall be a point of contact for identifying the specific roles that NGOs can play in partnership with the Government to implement the proposed policies and strategies.
- F. The Population Commission shall promote coordination in planning and implementation across government agencies, the community and the private sector, and to explore the possibilities of national and international cooperation in support of the goals set out in the Policy.
- G. The working groups shall coordinate and complete the Territorial Population Policy with strategies for implementation on a three year basis with regular reviews and evaluation.

Section 3. Immediate Effect

This Executive Order becomes effective immediately.

Dated: May 7th, 2009



TOGIOLA T.A. TULAFONO
Governor of American Samoa