



**OFFICE OF THE GOVERNOR
AMERICAN SAMOA GOVERNMENT**

EXECUTIVE ORDER 002 – 2023

**AN ORDER TO TRANSFER FUNDING, PERSONNEL, PROPERTY, AND
EQUIPMENT TO THE DEPARTMENT OF CORRECTIONS**

Section 1: Authority

This executive order is hereby issued in accordance with the powers and authority granted to the Governor by Article IV, Sections 6 and 7 of the Revised Constitution of American Samoa, and the American Samoa Code Annotated, Sections 4.0111 (b) and 4.0301(b).

Section 2: Preamble

WHEREAS, on June 15, 2022, Executive Order 004-2022 established the American Samoa Corrections Agency; and

WHEREAS, on September 30, 2022, Public Law 37-12 was enacted providing for budget appropriations for Fiscal Year 2023 which included the funding for the Department of Corrections within the funding of the Department of Public Safety; and

WHEREAS, on December 8, 2022, Public Law 37-14 established the Department of Corrections as a required department under Section 4.0301(a) of the American Samoa Code Annotated separate and apart from the Department of Public Safety Corrections Bureau; and

WHEREAS, there is a need to provide for the efficient and effective funding and operation of the Department of Corrections as a separate Department.

NOW THEREFORE, I, TALAUEGA E. V ALE, Acting Governor of American Samoa, by virtue of the authority vested in me by the Revised Constitution of American Samoa and the American Samoa Code Annotated, hereby execute this order.

Section 3: Order

Effective as of December 8, 2022, all personnel, property, assets, equipment, and funding including federal funding assigned or appropriated to other Departments, Agencies, or Offices of American Samoa Government for the responsibilities of and services now provided by the Department of Corrections are transferred to the Department of Corrections. The transfer of

funding shall include but is not necessarily limited to \$1,792,500 of the Basic Request in the Fiscal Year 2023 budget to the Department of Public Safety.

The Directors of all effected Departments shall cooperate with each other as well as the Treasurer and the Directors of Human Resources, Program Planning and Budget, and Office of Property Management to ensure a smooth transition and transfer of responsibilities between the departments.

Section 4: Effective Date

This order shall take effect immediately.

Date: 2/2/23



TALAUEGA E. V. ALE
Acting Governor of American Samoa