



OFFICE OF THE GOVERNOR

*American Samoa*

LOLO L. M. MOLIGA  
GOVERNOR

LEMANU P. MAUGA  
LIEUTENANT GOVERNOR

April 23, 2013

**EXECUTIVE ORDER NO. 010 - 2013**

Section 1. Authority.

This Executive Order is issued under the authority granted to the Governor in Article IV, Sections 6 and 7 of the Revised Constitution of American Samoa, and Section 4.0111 ASCA.

Section 2. Preamble.

The American Samoa Government and the people of American Samoa have long suffered negative consequences arising from the perpetration of fraud, waste and abuse within our government.

While these acts in no way reflect upon the vast majority of dedicated public servants serving the territory, they on the other hand have drained financial resources from their intended uses, resulted in disallowed grant expenditures, led to negative audit findings and the time and expense attendant to audit remediation, contributed to inefficiencies in government and consequent reduced levels of service delivery, and in some cases, Federal intervention into local affairs in the absence of effective local responses.

It is time the government take steps to address what has become a recurring problem over the years. There is no reason this government need accept behavior from within its ranks that does not comport with the highest ethical and moral standards.

To these ends the following Executive Order is promulgated.

Section 3. Establishment of the Office of Fraud Prevention and Investigations.

There is hereby created within the Office of the Governor an Office of Fraud Prevention and Investigations. The Governor shall appoint the director of the Office, who shall report directly to the Governor and serve at the pleasure of the Governor.

Section 4. Powers and duties of the Office of Fraud Prevention and Investigations.

The Office shall have the following authorities and responsibilities:

- a. to investigate cases of fraud, waste and abuse occurring, or which have occurred, in the Executive Branch of the American Samoa Government;
- b. to collect and preserve potential evidence, in a form which will render it admissible in administrative or judicial proceedings;
- c. to summarize its investigatory efforts in the form of findings and conclusions in a manner suitable for referral to the Department of Human Resources, or to law enforcement authorities, as the case may be, for further proceedings;
- d. to routinely brief the Governor or his designee on all investigations initiated and carried out;
- e. to liaise as necessary with the Attorney General, the Commissioner of Public Safety and the Director of Homeland Security to facilitate information collection and sharing on matters of mutual interest;
- f. to conduct periodic assessments of government policies and procedures and their practical application, to identify weaknesses or deficiencies that may result in economic loss to the government through negligence, lack of regulatory compliance, departure from standard operating procedures, or violations of law;
  - i. an assessment of government policies and procedures and their practical application will only be conducted after an entrance conference is conducted with the relevant department or agency director(s), advising the nature and scope of the assessment;
  - ii. at the conclusion of any such assessment, findings and recommendations shall issue in written form and shall be shared with the relevant department or agency director(s) in a formal exit conference.

Section 5. Staffing.

- a. The director shall be provided necessary staff to carry out the duties assigned. This may include augmentation by personnel from law enforcement agencies including the Office of Attorney General, Department of Public Safety, and Department of Homeland Security.
- b. Investigative staff of the Office of Fraud Prevention and Investigations shall be issued suitable credentials including photographic identification.

Section 6. Inter-agency cooperation.

All department, agencies and offices of the Executive Branch of the American Samoa Government are directed to lend their full cooperation to the efforts of the Office of Fraud Prevention and Investigations.

Section 7. Effective date.

This Executive Order shall take effect immediately.

*Lolo M. Moliga*  
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