



**OFFICE OF THE GOVERNOR  
AMERICAN SAMOA GOVERNMENT**

**EXECUTIVE ORDER NO. 009 – 2023**

**AN ORDER ESTABLISHING GUIDELINES GOVERNING THE FLYING OF FLAGS AT HALF-STAFF WITHIN THE TERRITORY AND THE USE OF THE NATIONAL AND TERRITORIAL FLAGS IN FUNERAL CEREMONIES, SUPERSEDING EXECUTIVE ORDER NO. 001-2008**

**Section 1: Authority**

This Executive Order is issued under the authority granted to the Governor in Article IV, Section 6 and Section 7, American Samoa Revised Constitution, Section 4.0302 of the American Samoa Code Annotated, and 4 U.S.C. 7(m).

**Section 2: Purpose**

The purpose of this Order is to establish guidelines by which the American Samoa Government shall give official recognition following the death of sitting and former officials of the American Samoa Government. These guidelines are by no means exhaustive and shall not preclude the authority of the Governor to order or proclaim honors for officials of the Territory not listed herein.

**Section 3: Order**

1. The National and Territorial flags shall be flown at half-staff, in accordance with the above referenced Constitutional and Statutory authorities, based upon the following guidelines:
  - a. In accordance with the order of the President of the United States of America, as he shall proclaim from time to time, pursuant to 4 U.S.C. 7(m).
  - b. In the event of the death of the Governor, the National and Territorial flags shall be flown at half-staff for a maximum of 20 days, to end at sunset on the day of interment.
  - c. In the event of the death of the Lieutenant Governor, President of the Senate, Speaker of the House of Representatives, or Chief Justice of the High Court of American Samoa, flags shall be flown at half-staff for a maximum of five days, ending at sunset on the day of interment.
  - d. In the event of the death of a sitting Senator, Representative of the Fono, member of the Governor's cabinet, Associate Justice or District Court Judge of the High Court, any former official or the head of a bureau or office who does not report either to the head of a cabinet department or to the head of a bureau or office whose appointment is subject to confirmation by the Legislature, the National and Territorial flags shall be lowered beginning at sunrise on the day before interment until sunset on the day of interment.

2. The National and Territorial flags may be used to drape the coffins of ASG officials according to the following rules and guidelines:
  - a. For any sitting or former Governor, Lt. Governor, Speaker of the House of Representatives, President of the Senate or Chief Justice of the High Court, the U.S. flag or the Territorial flag may be used to drape the coffin in accordance with standard protocol for proper display of the U.S. flag, and with established protocol for proper display of the Territorial flag, as set forth in the Fai'ivae Apelu Galea'i Flag Protocol - Executive Order 006-2007. Immediately before burial of the deceased, the National flag shall be presented in an appropriate and respectful manner to the deceased's spouse or next of kin with formal conclusion of the presentation upon the last note of Taps.
  - b. For all other sitting officials of the American Samoa Government, to include Department Directors, Office and Bureau Heads, District Governors, Associate Justices, Samoan Judges, District Court Judge, sworn law enforcement and public safety officers of the Territory, the Territorial flag may be used to drape the coffin of the deceased official in accordance with established protocol for proper display of the Territorial flag, as set forth in the Fai'ivae Apelu Galea'i Flag Protocol - Executive Order 006-2007. Immediately before burial, the Territorial flag shall be presented in an appropriate manner to the deceased's spouse or next of kin with full gun salute. Formal conclusion of the presentation shall be upon the last note of Taps.

#### **Section 4: Repealer**

This Executive Order supersedes and effectively repeals Executive Order 001-2008 and all other previous Executive Orders and General Memoranda regarding this specific subject matter.

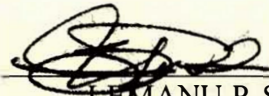
#### **Section 5: Supersession**

In all cases where sections of this Order do not comport with applicable federal statutes and regulations, the federal statutes and regulations shall control. Such a result shall only apply to those sections of this Order that are in conflict with said statutes and regulations. All other sections of this Order that are not in conflict with applicable federal and local statutes and regulations shall be given full force and effect.

#### **Section 6: Effective Date**

This order shall take effect immediately.

Date: 18 May 2023

  
LEMANU P. S. MAUGA  
Governor of American Samoa