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EXECUTIVE ORDER NO. 006 - 2014

AN ORDER EXTENDING THE EXISTENCE OF THE TERRITORIAL OFFICE OF FISCAL REFORM (TOFR); RENAMING TOFR TO "OFFICE OF DISASTER ASSISTANCE AND PETROLEUM MANAGEMENT" (ODAPM); RE-ESTABLISHING THE RESPONSIBILITIES OF ODAPM AND AMENDING EXECUTIVE ORDERS NO. 006-2006, 003-2003, AND 01-2000.

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 Sections 4.0111(b) and 4.0302(a) of the American Samoa Code Annotated.

Section 2: Preamble

The responsibilities of the Territorial Office of Fiscal Reform (TOFR) have evolved significantly from its original focus on fiscal reform, general fund debt management, financial reviews and audits, and administering the tobacco settlement loan. Most, if not all, of the initial objectives and functions of TOFR since its inception in the year 2000 have either been fulfilled or transferred to the ASG Department of Treasury. TOFR's current functions and responsibilities include management of American Samoa Disaster Recovery Office (ASDRO), the administration of FEMA Public Assistance and Hazard Mitigation grants, FAA airport improvement, the remaining American Recovery and Reinvestment Act (ARRA) grant projects, and management of the ASG Property Insurance Program. TOFR also administers the Office of Petroleum Management (OPM) and oversees the ASG petroleum and fuel dock facilities in cooperation with the American Samoa Petroleum Coop (ASPC). It is hereby necessary and appropriate to extend the existence of this office, to change its name and update its functions, responsibilities, and authority to reflect its current duties and services to ASG and the people of American Samoa.

Section 3: Purpose

This Executive Order is created to 1) extend the existence of TOFR for ASG budgetary approval purposes, 2) to change the name Territorial Office of Fiscal Reform

(TOFR) to Office of Disaster Assistance and Petroleum Management (ODAPM), and 3) to update the duties, functions and authority of this Office to accurately reflect its current responsibilities and obligations.

Section 4: Extension of Existence.

TOFR was established by Executive Order No. 01-2000 effective February 19, 2000. The existence of TOFR was extended through various Executive Orders until October 1, 2011. This Executive Order extends the existence of this Office indefinitely, until such time as its purposes have been fulfilled or the Governor deems its existence is no longer necessary.

Section 5: Changing the name of the Office.

The name Territorial Office of Fiscal Reform (TOFR) shall be changed to "Office of Disaster Assistance and Petroleum Management" (ODAPM). Any and all legal rights, property, entitlements and obligations previously held by and under the name of TOFR, shall be retained, accepted and honored by ODAPM. It is the intent of ASG that the functions and services being provided by ODAPM (formerly TOFR), be continued without interruption. All ASG Departments, vendors and private entities are asked to assist in making this transition as seamless and as smooth as possible.

Section 6: Re-Establishment of Functions and Responsibilities.

ODAPM shall be responsible for the following functions, duties and responsibilities:

A. ASG FEMA Public Assistance and Hazard Mitigation. Assist ASG and the community in the recruitment, administration and implementation of FEMA Public Assistance (PA) and Hazard Mitigation, FAA Airport Improvement, American Recovery and Reinvestment Act (ARRA) and other special programs and projects.

B. ASG Disaster Property Insurance Program
Administer and manage in cooperation with the ASG Property Insurance Committee (ASPIC) of Treasury, Procurement, ASTCA, LBJ Hospital and ASCC the solicitation and maintenance of qualified, cost-effective property insurance for insuring ASG fixed assets, structures and contents funded and required by FEMA.

C. Office of Petroleum Management
Administer and manage in cooperation with the American Samoa Petroleum Cooperative (ASPC) the ASG Fuel Storage and Distribution Facility including the Fuel Dock, Tank Farm in Gataivai and Tafuna Airport fuel depot to ensure the Territory of American Samoa maintains an adequate and reliable supply of uniformly high quality petroleum products at reasonable and competitive prices.

D. Authority Granted. The duties, functions and responsibilities of TOFR as established in Executive Order Nos. 006-2006, 003-2003 and 01-2000 are hereby revoked where inconsistent with this Order, and where not inconsistent with this Order

shall remain in full force and effect. In the event of a conflict, this Executive Order supersedes any previously issued Executive Order or General Memorandum.

Section 7: Budget and Personnel

ODAPM shall maintain and retain its current year and FY 2015 budget, including any and all accounts and personnel as established and submitted under TOFR. ODAPM shall remain as part of the Office of the Governor and managed by an executive director who shall report directly to the Governor.

Section 8: Effective Date

This order shall take effect immediately.

Dated: September 8, 2014


LOLO M. MOLIGA
Governor of American Samoa