



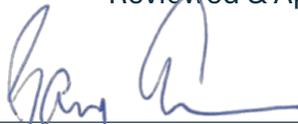
PORT ADMINISTRATION OF AMERICAN SAMOA



TITLE VI PROGRAM 2025 - 2028



Reviewed & Approved By:


Barney Sene, Director

9/11/2025

Date



PORT ADMINISTRATION OF AMERICAN SAMOA TITLE VI PROGRAM

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PORT ADMINISTRATION OF AMERICAN SAMOA TITLE VI PROGRAM

1. INTRODUCTION

This plan outlines and reflects Port Administration American Samoa (PAAS) policies and procedures to uphold and assure full compliance with the non-discrimination requirements of Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities. Title VI and related nondiscrimination authorities stipulate that no person in the United States of America shall on the grounds of race, color, national origin, sex, age, disability, income level or Limited English Proficiency be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance.

2. PUBLIC NOTICE

PAAS Title VI policy statement can be found in Appendix A. This statement has been published on the PAAS website, as well posted at bulletin boards at PAAS facilities.

3. TITLE VI COMPLAINT PROCESS

PAAS has established 'Complaint of Discrimination' Procedure. This can be found in Appendix B.

4. RECORD OF TITLE VI INVESTIGATIONS, COMPLAINTS OF LAWSUITS

PAAS shall maintain a list of any active Title VI investigations conducted, lawsuits, or complaints. This list shall include the date of the investigation, lawsuit, or complaint was filed; summary of the allegations (s); status of the investigation; and actions taken by PAAS in response to the investigation.

All records of complaints and dispositions thereof shall be maintained and regularly reviewed by the Title VI Coordinator who will pay particular attention to the detection of any patterns in the nature of the complaints. All such records shall be retained on a strictly confidential basis, except where disclosure is required by law

5. COMMUNITY PARTICIPATION PLAN

The following outlines PAAS community participation plan.

A. Public Meetings

- 1) Public Information meetings, town hall meetings or public hearings are setup as needed.
- 2) These meetings are advertised on PAAS social media page and via local radio and newspaper.
- 3) Notices for public meetings are issued in both English and Samoan. The meeting is also held in both English and Samoan.
- 4) Meeting locations are held the PAAS Airport Conference Room or the PAAS Seaport Conference - ADA compliant venues. Virtual options for participation are also made available.



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B. Stakeholder Quarterly Meetings

1) Seaport Stakeholder Quarterly Meetings

- a) PAAS hosts quarterly meetings with all our Seaport Stakeholders (vessel operators, stevedores, cargo agents, fishing vessels and owners, etc.).
- b) This meeting is open to the public.
- c) Meetings are held at the PAAS Seaport Conference Room at Pago Pago Plaza.

2) Airport Stakeholder Quarterly Meetings

- a) PAAS hosts quarterly meetings with all our Airport Stakeholders (tenants, airlines, ground agents, contractors, vendors, fuelers, etc.).
- b) This meeting is open to the public.
- c) Meetings are held at the PAAS Airport Conference Room at Pago Pago Airport, Tafuna.

C. Weekly Safety Meetings

1) Seaport Weekly Safety Meetings

- a) PAAS Seaport Safety Officer hosts weekly meetings with all our Seaport Stakeholders (vessel operators, stevedores, cargo agents, fishing vessels and owners, etc.).
- b) This meeting is open to the public.
- c) Meetings are held at the PAAS Seaport Conference Room at Pago Pago Plaza.

2) Airport Weekly Safety Meetings

- a) PAAS Airport Safety Officer hosts quarterly meetings with all our Airport Stakeholders (tenants, airlines, ground agents, contractors, vendors, fuelers, etc.).
- b) This meeting is open to the public.
- c) Meetings are held at the PAAS Airport Conference Room at Pago Pago Airport.

D. Feedback

- 1) Project progress updates will be shared and feedback received at the above meetings.

E. Additional Meetings

- 1) Project specific coordination meeting will be held, as needed.



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PUBLIC NOTICE OF NON-DISCRIMINATION RIGHTS

- A. The Port Administration American Samoa (PAAS) gives public notice of its policy to uphold and assure full compliance with the non-discrimination requirements of Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities. Title VI and related nondiscrimination authorities stipulate that no person in the United States of America shall on the grounds of race, color, national origin, sex, age, disability, income level or Limited English Proficiency be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance.
- B. PAAS Title VI and ADA Program Officer (TAP Officer): ***Tumua Matu'u***
Email: tap.officer@pa.as.gov
Phone: 699-9101
- C. Any person who believes they have, individually or as a member of any specific class of persons, been subjected to discrimination based on race, color, national origin, sex, age, disability, income level or Limited English Proficiency has the right to file a formal complaint. Any such complaint must be submitted in writing within one hundred twenty (120) calendar days of the date of the alleged occurrence to:

Title VI & ADA Compliance
Port Administration of American Samoa
P.O. Box 1539
Pago Pago, American Samoa 96799

- D. A complainant may also file a complaint directly with the Maritime Administration.

Email: ***civilrights.marad@dot.gov***
Mailing: ***United States Maritime Administration Office of Civil Rights***
West Building, 2nd Floor MAR-130
1200 New Jersey Avenue SE
Washington, DC 20590



**PORT ADMINISTRATION OF AMERICAN SAMOA
TITLE VI PROGRAM**

PAAS NON-DISCRIMINATION POLICY STATEMENT

- A. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the grounds of race, color and national origin in programs and activities that receive federal financial assistance.
- B. PAAS is committed to compliance with the non-discrimination requirements of Title VI of the Civil Rights Act of 1964 and all related federal statutes, regulations and Executive Orders. In accordance with these requirements, the PAAS commits to administer its programs, services and program activities without regard to race, color, national origin, sex, age, or disability, including income-level and persons who are Limited English Proficiency (LEP) as required by the nondiscrimination provisions of 49 CFR Part 21, 49, CFR Part 27, and the DOT Standard Title VI Assurances and Non-Discrimination Provisions. PAAS will take reasonable steps to provide access to its services to people with disabilities and those with Limited English Proficiency (LEP).
- C. PAAS will make every effort to ensure that all its recipients of federal funds comply with the non-discrimination provisions of its Title VI/ADA Program. PAAS further certifies that all its programs will be administered in accordance with these provisions.
- D. Any person who believes that he/she individually or as a group has been subjected to discrimination prohibited by this policy may file a complaint within one hundred twenty (120) days of the alleged discriminatory conduct. Requests for additional information must be sent to (or complaints must be filed with) the TAP Officer.
- E. PAAS employees and affected personnel are directed to coordinate with the TAP Officer to ensure the effective implementation of DOT Title VI and ADA requirements.
- F. This policy will be distributed annually to all employees and posted on the PAAS website and bulletin boards. Upon request, this policy will be made available in a language other than English and in alternative formats. PAAS compliance with the nondiscrimination requirements of the Title VI program and the ADA will be monitored by the TAP Officer.

Barney Sene, PAAS Director

9/11/2025

Date



PORT ADMINISTRATION OF AMERICAN SAMOA TITLE VI PROGRAM

TITLE VI COMPLAINT PROCESS

A. INTRODUCTION

1. Port Administration American Samoa (PAAS) has established this ‘Complaint of Discrimination’ Procedure as a mechanism for the review and resolution of allegations of discrimination. These procedures apply to complaints filed under Title VI of the Civil Rights Act of 1964 and The Americans with Disabilities Act (ADA) which prohibit discrimination based on race, color, national origin, and disability in any program or activity administered by the PAAS or its sub-recipients, consultants and/or contractors. Retaliation or intimidation of any kind is also prohibited by law.
2. These procedures do not negate or limit the right of the complainant to file formal complaints with other state or federal agencies. These procedures are part of an administrative process that does not provide for remedies such as compensatory damages for the complainant.
3. PAAS, serves as a resource for members of the public who wish to file a discrimination complaint under Title VI, ADA, and related statutes. PAAS is located in Tafuna and Port of Pago Pago in Fagatogo. PAAS is responsible for conducting counseling and investigations of alleged incidences of discrimination. The complainant, the individual making a complaint, is advised of his/her rights under State and Federal laws and is given a copy of this procedure.

B. COMPLAINT BASIS

1. Allegations must be based on issues involving race, color, national origin, or disability. The term basis refers to the complainant’s protected group status. A Protected Group is a group of people with common characteristics who are legally protected from discrimination based on that or those characteristic(s).
2. Protected Group categories and definitions relevant to this procedure:

CATEGORY	DEFINITION	EXAMPLE
RACE	Perception based on physical characteristics that a person is a member of a racial group	Black, White, Native American, Indian, etc.
COLOR	Color and/shade of skin within a racial group	Black, White, Dark, Light Brown, etc
NATIONAL ORIGIN	A group of people who share a common language culture	Cuban, Vietnamese, Mexican, etc.
DISABILITY	A disability is an impairment that substantially limits one or more	An individual with visual impairment or who uses a mobility device like a wheelchair



PORT ADMINISTRATION OF AMERICAN SAMOA TITLE VI PROGRAM

C. COMPLAINT PROCESS

1. Any individual or group of individuals who believe that he/she or they have been subjected to discrimination prohibited by Title VI and ADA nondiscrimination procedures based on race, color or national origin (including Limited English Proficiency) or disability may file a written complaint to PAAS. A formal complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant. The complaint must meet the following requirements: It must:
 - a. Be made in writing or submitted electronically to tap.officer@pa.as.gov
 - b. Be submitted on the 'Title VI and ADA Discrimination Complaint Form' and signed by the complainant(s);
 - c. Include the full name and address(es) of the complainant(s);
 - d. Include the date(s) of the alleged act(s) of discrimination;
 - e. Include full name(s), job title(s), and work address(es) of the accused party(ies), if known;
 - f. Include detailed description of the alleged act(s) of discrimination (specify all issues & circumstances of the alleged discrimination);
 - g. Identify the basis of the complaint (i.e. race, color, national origin, LEP, disability); and
 - h. Include the name(s), address(es), and telephone number(s) of any person who may have knowledge of the alleged incident.
2. For complaints to be accepted, they must be filed within 180 days of the alleged act of discrimination; meet the above procedures for filing; and allegations must be based on issues pertaining to race, color or national origin (including limited English Proficiency).
3. A complaint may be dismissed if the complainant requests the withdrawal of the complaint; the complainant does not respond to requests for information on or before the date indicated in the request; or the complaint is not timely filed.
4. In cases where a complainant cannot provide a written complaint, assistance will be provided by PAAS. However, all complaints must be signed by the complainant or its legal designee.
5. A signature provided by a legal designee must be accompanied by written permission from the complainant.



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D. Complaint Investigation

1. Following the receipt and review of the complaint the TAP Officer or a designee will issue a letter acknowledging receipt of the complaint.
2. The accused party(ies) will be notified that a complaint has been filed against him/her/them within 15 days of accepting the complaint. When applicable, the accused party(ies) is/are advised of his/her/their right to representation by the union or any other appropriate representative of his/her/their choice.
3. Barring extenuating circumstances outside of the investigators control, the investigator will conduct a fact-finding investigation and provide a resolution, if one is possible, within thirty (30) business days of receipt of the complaint and notify all involved parties in writing whether there was a violation of Title VI. This will include notification to the complainant of his/her/their right to appeal the results to the PAAS.
4. All investigation findings will be reported to the PAAS Director or designee.
5. Should the complainant elect to appeal the decision, he/she/they must do so in writing to the PAAS Director within ten (10) business days after receipt of the complaint resolution proposed by the TAP Officer or investigator designee. Failure to appeal within this period shall be interpreted as acceptance of this resolution.
6. PAAS Director or his/her/their designee will review the case to determine what, if any additional information is needed. If additional information is required from the appellant, he/she will be provided reasonable advance notice of a meeting and will be advised of his/her/their right to present relevant information at that time.
7. The PAAS Director or designee will render a written decision regarding the appeal, no later than thirty (30) business days from the date of the filing of the appeal which will be sent to the appellant. Should this decision differ from the findings of the investigation, it will also be sent to all parties involved and TAP Officer. The decision of the PAAS Director or designee is final. However, this does not preclude the complainant from pursuing other means of resolution under federal and/or state law.
8. All records of complaints and dispositions shall be maintained and regularly reviewed by the TAP Officer who will pay particular attention to the detection of patterns in the nature of the complaints. All such records shall be retained on a strictly confidential basis, except where disclosure is required by law



PORT ADMINISTRATION OF AMERICAN SAMOA
TITLE VI COMPLAINT FORM

SECTION IV | HISTORY

1. Have you previously filed a Title VI or ADA complaint? _____ YES _____ NO

2. If Yes, provide the following information. **If No, go to Section V.**

3. Name of Agency: _____ Point of Contact: _____
First Name Last Name Title

4. Mailing Address: _____ Email Address: _____

5. Work Phone: _____ Mobile: _____

SECTION V | SUBJECT OF THE COMPLAINT

1. Person complaint is against: _____
First Name Last Name Title

2. Work Phone: _____ Mobile: _____

ADDITIONAL SPACE

Large empty rectangular box for additional information.

Attach any documents or information that you think is relevant to complaint.

Complainant Signature

Date

Please submit this form in person, via email at tap.officer@pa.as.gov or mail this form to the address below:

PAAS TAP Officer
PO Box 1539
Pago Pago, American Samoa 96799



PORT ADMINISTRATION OF AMERICAN SAMOA
RECORD OF TITLE VI INVESTIGATIONS, COMPLAINTS, LAWSUITS

RECORD

COMPLAINTS

Date	Basis of Discrimination (circle all that apply)	Status (circle one)	Action Taken
1. _____	Race Color National Origin Disability Other_____	Pending Completed	_____
2. _____	Race Color National Origin Disability Other_____	Pending Completed	_____
3. _____	Race Color National Origin Disability Other_____	Pending Completed	_____
4. _____	Race Color National Origin Disability Other_____	Pending Completed	_____
5. _____	Race Color National Origin Disability Other_____	Pending Completed	_____

INVESTIGATIONS

Date	Basis of Discrimination (circle all that apply)	Status (circle one)	Action Taken
1. _____	Race Color National Origin Disability Other_____	Pending Completed	_____
2. _____	Race Color National Origin Disability Other_____	Pending Completed	_____
3. _____	Race Color National Origin Disability Other_____	Pending Completed	_____
4. _____	Race Color National Origin Disability Other_____	Pending Completed	_____
5. _____	Race Color National Origin Disability Other_____	Pending Completed	_____

LAWSUITS

Date	Basis of Discrimination (circle all that apply)	Status (circle one)	Action Taken
1. _____	Race Color National Origin Disability Other_____	Pending Completed	_____
2. _____	Race Color National Origin Disability Other_____	Pending Completed	_____
3. _____	Race Color National Origin Disability Other_____	Pending Completed	_____
4. _____	Race Color National Origin Disability Other_____	Pending Completed	_____
5. _____	Race Color National Origin Disability Other_____	Pending Completed	_____