

An Act to Establish the National Park of American Samoa

Excerpts from Public Law 100-571-October 31, 1988



Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

Section 1. Findings and Purposes.

(a) *Findings*-The Congress finds that:

- i. Tropical forests are declining worldwide.
- ii. Tropical forests contain 50 percent of the world's plant and animal species, contribute significantly to the advancement of science, medicine, and agriculture and produce much of the earth's oxygen. The loss of these forests leads to the extinction of species, lessening the world's biodiversity, reduces the potential for new medicines and crops and increases carbon dioxide levels in the atmosphere contributing to the greenhouse effect that is altering the global climate.
- iii. The tropical forest in American Samoa is one of the last remaining undisturbed paleotropical forests.
- iv. The tropical forest in American Samoa is the largest such forest under direct control of the United States.
- v. The tropical forest of American Samoa contains the habitat of one of the last remaining populations of Pacific flying foxes.
- vi. The flying foxes of American Samoa are responsible for a large part of the pollination which maintains a significant portion of the species which inhabit the Samoan tropical forest.
- vii. Information presently available indicates the existence of extensive archaeological evidence related to the development of the Samoan culture which needs to be examined and protected.

viii. The people of American Samoa have expressed a desire to have a portion of the tropical forest protected as a unit of the National Park System.

(b) *Purpose*-The purpose of this Act is to preserve and protect the tropical forest and archaeological and cultural resources of American Samoa, and of associated reefs, to maintain the habitat of flying foxes, preserve the ecological balance of the Samoan tropical forest, and, consistent with the preservation of these resources, to provide for the enjoyment of the unique resources of the Samoan tropical forest by visitors from around the world.

Section 3. Administration.

(b) *Traditional Subsistence Uses*

- i. Agricultural, cultural, and gathering uses shall be permitted in the park for subsistence purposes if such uses are generally prior existing uses conducted in areas used for such purposes as of the date of enactment of this Act and if such uses are conducted in the traditional manner and by traditional methods. No such uses shall be permitted in the park for other than subsistence purposes.
- ii. Subsistence uses of the marine areas of the park shall also be permitted in accordance with paragraph one above, and no fishing or gathering shall be permitted in such marine areas for other than subsistence purposes.



Case Study

Tuima'a and his extended family have farmed and fished for many years in a rainforest that has now been designated part of a U.S. National Park. His family members live in many villages in the different islands that make up American Samoa. The family has used both crops and fish from the park area, primarily at traditional family events. If there has been any surplus products from these events, they have used some of it at home and sold some of it to get money for necessities.

Tuima'a practices crop rotation on 10 acres that now lie in the park. This means that he plants only a few acres intensively each five years. Afterwards, he leaves that area uncultivated (fallow) for several years to restore soil fertility while he clears and plants a new area. More than 15 years have passed since the first area was left fallow, and it has begun growing back as trees. Soon it will be time to replant.

In order to farm the land, Tuima'a removes most young trees and controls weeds by cutting them or spraying them with weed killer. He only tills the land when he is growing vegetable crops. He manages insect problems using a combination of mechanical, biological, and chemical controls.