

THE TWENTY-NINTH LEGISLATURE OF AMERICAN SAMOA

Third Regular Session

Begun and held at Fagatogo, Tutuila, American Samoa
on Monday the ninth day of January
two thousand and six

AN ACT ALLOWING THE USE OF UNITED STATES MILITARY IDENTIFICATION CARDS, OFFICIAL MILITARY ORDERS OR LEAVE FORMS FOR ENTRY INTO AMERICAN SAMOA.

Preamble:

Due to the ongoing conflicts around the world in which our service men and women are involved, this bill allows the use of United States Military Identifications, official military orders or leave forms for entry into American Samoa. This act shall become effective immediately upon passage by the Legislature and approval by the Governor.

BE IT ENACTED BY THE LEGISLATURE OF AMERICAN SAMOA:

Section 1. 41.0502 is amended to read:

“41.0502 Entry Requirements.

(a) No person may enter American Samoa unless he complies with the following requirements:

(1) A national of the United States shall have a valid passport, travel document, or a certified birth certificate to demonstrate citizenship: and have in his possession either:

(A) a round trip ticket to his point of origin or onward passage to a destination beyond American Samoa;

(B) proof of employment and assignment to American Samoa.

(2) Military personnel and their dependants must have valid military identification cards, official military orders or leave authorization form from their respective branch of the United States Military.

(2) (3) A tourist or business person must:

(A) have in his possession a valid passport or other travel document issued by competent authority authorizing him to return to the country from which he came or to enter some other country: the passport or travel

document should be valid at the time of entry, and should contain either a photograph or fingerprint of the holder;

(B) have in his possession a round-trip ticket to his point of origin or onward passage to a destination beyond American Samoa;

(C) comply with any current requirements of the public health officer;

(D) a tourist or business person may stay up to 30 days and with approval of the Attorney General or his designee may stay an additional 30 days; however, the filing of an application for an alien registration card pursuant to 41.0303 shall not entitle an alien arriving in American Samoa under subsection (D) to extensions of stay beyond 60 days after original entry into the Territory.

~~(3)~~ (4) All permanent residents of American Samoa, except members of the armed forces, must present proof of residence at the time of entry in such forms and in such manner as prescribed by the Board. Permanent residents who are members of the U.S. armed forces must have valid military identification documents with a certification by the military authority concerned that American Samoa is the home of record.

~~(4)~~ (5) All members of a crew of a vessel or aircraft in transit as certified by their employer may remain in American Samoa and must carry sufficient identification, so long as they remain a member of the crew, otherwise they must meet the other requirements of this section as applicable. Alien crew members that have terminated employment with their vessel or aircraft must depart the Territory for their countries of origin or otherwise.

~~(5)~~ (6) All government employees and their dependents must furnish proof of government employment and assignment to American Samoa.

~~(6)~~ (7) All other persons must furnish such documents as required by the Board unless otherwise provided herein.

(b) The Board may by regulation create such additional requirements for any of the categories set forth in subsection (a) as it finds necessary for the administration of this chapter.

(c) All persons are required to comply with the requirements of this chapter within 24 hours after arrival.

(d) All aliens must have valid identification with them at all times.”

Sec 2. Effective date.

Due to the ongoing conflicts around the world in which our service men and women are involved, this bill allows the use of United States Military Identifications, official military orders or leave forms for entry into American

Samoa. This act shall become effective immediately upon passage by the Legislature and approval by the Governor.

Lolo M. Moliga

LOLO M. MOLIGA
President of the Senate

Matafi R. Ma'ilo McMoore

MATAFI RAY MA'ILO MCMOORE
Speaker, House of Representatives

Hereby Approved this 31st day of March 2006
[Signature]
Governor Of American Samoa

NOFOA'IGA LUASEFULU-IVA FONOFAITULAFONO A AMERIKA
SAMOA

Fono Tele Lona Tolu

Nofioia ma usuia i Fagatogo, Tutuila, Amerika Samoa
Aso Gafua, aso iva o Ianuari
lua afe ma le ono

O SE TULAFONO E FA'ATAGA AI ONA FA'AAOGA PEPA (CARDS)
TOTINO FA'AMAONIA O LE MILITERI A LE IUNAITE SETETE,
POLOA'IGA FA'AMAONIA O LE MILITERI PO'O PEPA LIVI E ULUFAL
AI I TOTONU O AMERIKA SAMOA.

FA'ATOMUAGA

Ona o le fa'aauau pea ona tula'i mai o fe'ese'eseaiga ua a'afia ai o tatou
ali'i ma tama'ita'i i vaega'au i le salafa o le lalolagi, ua fa'ataga ai e lenei pili ona
fa'aaoga Pepa Totino Fa'amaonia (cards) o le Militeri a le Iunaite Setete,
poloa'iga aloa'ia a le militeri po'o pepa livi e ulufale mai ai i totonu o Amerika
Samoa. O lenei tulafono tautua'aofo o le a taualoa vave pe a pasia e le Fono
Faitulafono ma fa'amaonia e le Kovana.

IA FA'ATULAFONOINA E LE FONOFAITULAFONO A AMERIKA SAMOA:

Maga 1. 41.0502 ua suia e faitauina:

"41.0502 Aiaiga o le ulufale.

(a) E le mafai e se tagata ona ulufale mai i totonu o Amerika Samoa
vagana ua ia usita'ia aiaiga ua fa'aalia i lalo:

(1) E tatau i se nesionale o le Iunaite Setete ona tauaaoina se
tusifolau aloa'ia, pepa Malaga, po'o se pepa aso fanau ua fa'amaoniaina e
fa'amaonia ai lona tulaga o se tagatanu'u moni): ma ia te ia a le o se:

(A) o se pepa malaga o le va'a (ticket) o le sau ma le toe fo'i i le
nofoaga sa malaga mai ai po'o se malaga fa'aauau pea i se taunu'uga i talaatu
o Amerika Samoa;

(E) fa'amaoniga o galuega ma tiute e fa'ataunu'u i Amerika Samoa;

(2) Tagatafaigaluega o le militeri ma a latou tagata tausii e ao ona i
ai pepa (cards) totino fa'amaonia o le militeri a le Iunaite Setete, poloa'iga
aloha'ia a le militeri po'o pepa fa'ataga o livi mai o latou lala fa'apitoa o le
Militeri a le Iunaite Setete.

(2)-(3) O se tagata tafao mai (turisi) po'o se tagata faipisinisi e tatau ona:

(A) ia tauaaoina se tusifolau aloa'ia po'o isi pepa malaga sa tu'uina atu e se pulega agava'a e fa'ataga ai o ia e toe fo'i atu i le atunu'u sa malaga mai ai pe ulufale atu ai i isi atunu'u; ma e tatau ona aloa'ia le tusifolau po'o pepa malaga i le taimi e ulufale ai, ma e tatau ona aofia i ia pepa a le o se ata po'o fa'ailoga o lima o lē e umiaina;

(E) e tatau ona ia te ia se pepa o le va'a (ticket) mo se malaga fa'ata'amilo e toe fo'i ai i le atunu'u sa malaga mai ai po'o le fa'aauau atu o le malaga i se taunu'uga i talaatu o Amerika Samoa;

(I) ia usita'ia so'o se aiaiga fou a le ali'i-ofisa o le soifua maloloina;

(O) o se tagata tafao po'o se tagata faipisinisi e mafai ona nofo e o'o atu i le 30 aso fa'atasi ai ma le fa'amaoniga a le Loia Sili po'o lona sui tofia ma e mafai ona nofo mo se fa'aopoopoga e 30 aso; ae peita'i, o le failaina o se talosaga mo se pepa o le resitaraina o se tagata mai fafo e tusa ma le 41.0303 o le a le agava'a ai se tagata mai fafo e taunu'u mai i Amerika Samoa i lalo o le soamaga **(O)** mo le fa'aopoopoga o le nofo ai e sili atu ma le 60 aso pe a mavae le ulua'i ulufale mai i totonu o le Teritori.

(3) (4) O tagatanu'u nofomau uma o Amerika Samoa, vagana ai totino o vaegaau, e ao ona tu'uina atu fa'amaoniga o le nofo ai i le taimi o le ulufale mai i pepa ma i tulaga e pei ona tolaulauina e le Komiti. O tagatanu'u nofomau o totino o vaegaau o le taua a le Iunaite Setete e tatau ona i ai pepa totino aloa'ia o le militeri fa'atasi ai ma se fa'amaoniga e le pule'aga o le militeri e fa'amaonia ai o Amerika Samoa o le nofoaga mau o fa'amaumauga.

(4) (5) O totino o se auva'a o se va'a po'o se va'alele o lo'o afea e pei ona fa'amaonia o lo latou pule'aga e mafai ona nonofo i Amerika Samoa ma e ao ona tauaaoina fa'amaoniga atoatoa o totino, pe afai e nonofo fa'atasi o se auva'a, a leai e ao ona latou fa'amalieina isi aiaiga o lenei maga e fa'atatau i ai. O totino o le auva'a o tagata mai fafo ua fa'amutaina a latou galuega mai o latou va'a po'o va'alele e tatau ona tu'ua le Teritori mo o latou atunu'u na malaga mai ai pe 'ese mai ai.

(5) (6) O tagatafaigaluega uma o le malo ma o latou tagata tausi e ao ona tu'uina atu fa'amaoniga o galuega a le malo ma tiute e fa'ataunu'u i Amerika Samoa.

(6) (7) O isi tagata uma e ao ona tu'uina atu fa'amaumauga e mana'omia fa'atonuina e le Komiti vagana ai e 'ese mai ai e pei ona aiaia ai.

(e) O le Komiti e mafai e ala i tulafono galue ona fa'atulagaina isi aiaiga fa'aopoopo mo so'o se vaevaega ua fa'atulagaina i le soamaga **(a)** pe afai e alagatatau mo le fa'agaoioiga o lenei mata'upu.

(i) O tagata uma e mana'omia fa'atonuina ona usita'ia aiaiga o lenei mata'upu i totonu o le 24 itula pe a mavae ona taunu'u mai.

(o) O tagata uma mai fafo e tatau ona tauaaoina pepa totino fa'amaonia i taimi uma."

Maga 2. Aso taualoga.

Taluai ona o le tula'i mai pea o fe'ese'esea'iga e a'afia ai o tatou ali'i ma tama'ita'i i vaega'au i le salafa o le lalolagi, o le a fa'ataga ai e lenei tulafono taufa'aofi pepa fa'amaonia totino o le Militeri a le Iunaite Setete, poloa'iga aloa'ia a le militeri po'o pepa livi, e ulufale ai i totonu o Amerika Samoa. O lenei tulafono taufa'aofi o le a taualoga vave pe a pasia e le Fono Faitulafono ma fa'amaonia e le Kovana.

Lolo M. Moliga
LOLO M. MOLIGA
Peresetene, Maota Maualuga

Matagi R. Ma'ilo McMoore
MATAGI RAY MA'ILO MCMOORE
Fofoga Fetalai, Maota o Sui

Hereby Approved this 31st day of March 20 06
[Signature]
Governor Of American Samoa