

LEMANU P.S. MAUGA
Governor



FAINU'ULELEI FALEFATU ALA'ILIMA-UTU
Attorney General

TALAUUEGA E.V. ALE
Lieutenant Governor

Office of the Attorney General
Department of Legal Affairs
American Samoa Government

ROY J.D. HALL, JR.
Deputy Attorney General

PROPOSED AMENDMENTS TO IMMIGRATION RULES

TITLE 41 AMERICAN SAMOA ADMINISTRATIVE CODE, CHAPTER 10

Pursuant to the authority granted to promulgate rules for the administration and enforcement of the Immigration Act of 1984, in Sections 41.0205 and 41.0207 of the American Samoa Code Annotated (ASCA) and in accordance with Title 41, Chapter 10 of the ASCA, the Attorney General proposes to amend the immigration rules set forth in Title 41 of the American Samoa Administrative Code (ASAC) to revise provisions regarding entry permits.

The immigration rule amendment is set out below. The underlined text represents the proposed new changes. Text that has been crossed out is to be removed.

AMERICAN SAMOA ADMINISTRATIVE CODE

41.1007 Entry permits.

- (a) ~~Any person or group~~ alien travelling to American Samoa ~~not as tourists but for the purpose of visiting family and friends or for cultural or religious exchanges~~ must have a sponsor provide the following to the Immigration Office at least three business days before entry to American Samoa to obtain a thirty day entry permit:
- (1) An application by local sponsor and approval of the senior matai or senior member of the family if sponsor lives on communal land or, if a religious exchange, the head of the church in American Samoa; ~~and~~
 - (2) approval of the pulenu'u or ~~and~~ district governor or designated representative; and
 - (3) proof of valid travel documents and round trip tickets or onward passage, and a valid passport that will not expire during the visit; ~~and~~
 - (4) A clearance from the American Samoa Medical Center business office and the District Court of American Samoa. A medical clearance and police clearance from country of origin, unless the Attorney General or his designee

waives one or more of such clearances if there are adequate measures to protect the health and safety of the residents of American Samoa.

- (b) Any person or group arriving in American Samoa without the approvals required in subsection (a) of this section may be refused entry by an immigration officer.
- (c) The following fees shall be charged for an entry permit and other authorization or service to facilitate entry in to American Samoa:
 - (1) One person, \$40.00; extension \$50.00
 - (2) 10 to 20 persons, \$200.00;
 - (3) 21 to 50 persons, \$300.00;
 - (4) 51 to 100 persons, \$400.00;
 - (5) 101 persons and above, 200, \$500.00, plus \$5.00 for each additional person over 200;
 - (6) Multiple entry permit - \$50.00 per month. Multiple entry permits shall be available for commercial business travelers only.
 - (7) 14-day pass - \$10.00 per person per trip; available only to citizens of the Independent State of Samoa- with a registered business in Samoa, who travels to American Samoa for a business purpose. Must have a valid travel document, roundtrip ticket, local sponsor and clearances from the District Court of American Samoa and the American Samoa Medical Center business office.
 - (8) Authorization to enter American Samoa granted to an American Samoan or a United States national or citizen to permit entry without proper travel documents or other non-compliance with entry requirements - \$50.00.
 - (9) Authorization to enter American Samoa granted to an alien due to an emergency to permit entry without proper travel documents or other non-compliance with entry requirements - \$50.00.
 - (10) A memorandum or letter confirming authorization to enter American Samoa prepared for alien crew member faxed or otherwise transmitted with an entry permit to facilitate entry - \$25.00.
- (d) Upon satisfactory showing of compliance with the requirements of subsections (a), (b) and (c)(1) to (c)(5) of this section, the Attorney General or his designee, or the chief immigration officer may grant up to 30 days to visit American Samoa. A visitor granted a 30-day permit may apply for only one extension of 30 days; upon expiration of the extension, the visitor shall depart American Samoa immediately.

The chief immigration officer shall report monthly the number of permits granted and receipt of fees.

History: Rule 3-86, eff 7 Dec 86; *amd* 2003, eff 1 Apr 2003; *amd* 2010, eff 3 May 2010; *amd* 2023, eff (prospective effective date, 2023.

Amendments: 2010, subsection (c) – added “the following fee shall be charged for an entry permit and other authorization or service to facilitate entry in to American Samoa;” subsection (8) – added “national,” deleted “due,” added “or other non-compliance with entry requirements;” subsection (9) and (10) – added as indicated above; 2023, ASAC 41.1007 subsections (a), (a)(1); (a)(2), (a)(3), (a)(4); (c)(7); and (d).