



**OFFICE OF THE GOVERNOR  
AMERICAN SAMOA GOVERNMENT**

March 7, 2022

**GENERAL MEMORANDUM NO. 33-22**

To: Secretary of Samoan Affairs, CEOs, Presidents and Executive Directors of Authorities, Directors, Agency and Office Heads

From: Governor of American Samoa

Subject: Additional Guidance for COVID-19 While We are in Code Red

The purpose of this memorandum is to clarify issues that have come up as Code Red has been implemented in accordance with the Declaration of Ongoing Public Health Emergency and State of Emergency (“Emergency Declaration”). Pursuant to A.S.C.A. § 4.0111(b), departments and agencies shall implement and interpret the Emergency Declaration in accordance with this memorandum. It may be updated as we confront new challenges and seek to resolve questions.

This General Memorandum supersedes General Memorandum No. 32-22.

Section 3, Paragraphs B, C, D, and E of the Emergency Declaration address the issue of what is and isn’t an essential business and who are essential employees. Paragraph C identifies who essential employees are:

[E]ssential employees who directly perform or support essential services such as those related to public safety; health; utilities; food production, distribution, and sales; sanitation and laundry; telecommunications; media; essential construction; essential retail, port operations; essential payroll and fiscal services; and similarly, essential services.

**What is an essential business?**

Essential businesses are those that address health, safety, and welfare of residents of the Territory and that are so important that they need to continue in spite of the risk involved. At this point, we have identified the following essential businesses:

1. Essential Government functions including the judiciary and court staff, legislature, and legislative staff, public safety, first responders, law enforcement, fire prevention and response, military, emergency management personnel, corrections, probation and parole, child protection, child welfare, EMTs, 911 call center employees, vendors that support law enforcement and emergency management operations and services;
2. Essential healthcare operations including hospitals/clinics, laboratory operations, nursing homes, residential health care facilities, assisted living facilities, elder care, medical wholesale and distribution, home health workers and aides, medical supply and equipment providers, medical waste disposal, hazardous waste disposal, other ancillary healthcare services;
3. Essential infrastructure including utilities, power generation, utility poles and components, fuel and transmission, petroleum suppliers and distributors, supply chain companies, telecommunications, electronic security and life safety services, wireless communication, communications sales and customer support, legal services, telecommunication and data centers, cybersecurity operations, flood control, operation of water supply, aviation, airports, ports, roads and highways, automotive repair, vehicle rental services, taxi and network providers freight and transportation infrastructure, public water and waste water, hazardous waste disposal, hotels and commercial lodging services;
4. Agriculture and farms, including food cultivation, livestock, poultry and seafood operations, commercial and subsistence fishing farmer's markets, gas, diesel and petroleum suppliers, aquaculture, horticulture, veterinary services;
5. Essential retail including all supermarkets, food and beverage stores, pharmacies, hardware and building materials, gas stations, food providers and restaurants for curb side pick-up, carryout, or delivery for off premises consumption;
6. Construction and construction related services that directly support the COVID-19 response;
7. Emergency repairs for homes and other structures to maintain livable conditions;
8. Laundromats and laundry services shall require masks, enforce social distancing and limit to no more than 10 persons on premises; and
9. Other categories as may be identified and deemed essential by the Office of the Governor, the Department of Health, and/or other appropriate agency of the government and to be declared as an amendment to the list stated herein.

### **What is a non-essential business?**

Non-essential businesses include but are not limited to:

1. Outdoor and indoor organized sports
2. Movie theaters
3. Gym and Fitness Centers
4. Hair salons, barber shops, nail salons or services
5. Personal recreational boating or charter fishing vessels

6. Community Swimming Pool unless it is being used to support training for essential services.
7. Commercial car or vehicle cleaning
8. Bingo Fundraising Activity
9. Roadside fundraising activities
10. All public and private recreational facilities

To the extent possible, contact between people who do not live in the same household should be minimized. Remote work should be maximized. Social distancing and mask use is paramount. All eligible persons should be vaccinated.

Any questions about essential and non-essential businesses should be directed to [ag@la.as.gov](mailto:ag@la.as.gov), and they will be addressed.



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Governor