



**OFFICE OF THE GOVERNOR
AMERICAN SAMOA GOVERNMENT**

March 2, 2022

GENERAL MEMORANDUM NO. 032 – 22

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

From: Governor

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

The purpose of this memorandum is to clarify provisions in the emergency risk level Code Red as stipulated in 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.

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 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, 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, 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 curbside 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 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 are those that are not essential. They include but are not limited to:

1. Outdoor and indoor organized sports
2. Movie theaters
3. Gym and Fitness Centers
4. Golf Course
5. Hair salons, barber shops, nail salons or services
6. Commercial and personal recreational boating or charter fishing vessels
7. Community Swimming Pool
8. Commercial car or vehicle cleaning
9. Bingo Fundraising Activity
10. Roadside fundraising activities
11. Car washes
12. 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.

All questions regarding essential and non-essential businesses should be directed to ag@la.as.gov.

Thank you for your continued support for it is crucial in keeping our Territory safe.

A handwritten signature in black ink, appearing to read 'L. Mauga', written over a horizontal line.

LEMANU P. S. MAUGA
Governor