

THE THIRTY-THIRD LEGISLATURE OF AMERICAN SAMOA

Third Regular Session

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

AN ACT ESTABLISHING THE CRIME OF HUMAN TRAFFICKING OF A PERSON OR MINOR FOR FORCED LABOR OR SERVICES, OR COMMERCIAL SEX ACTS AND MAKING THE CRIME OF HUMAN TRAFFICKING A PRIORITY FOR OUR GOVERNMENT, OUR LAW ENFORCEMENT, AND OUR COMMUNITY; CREATING A CHAPTER 50 UNDER TITLE 46 A.S.C.A.

Preamble:

The Legislature of American Samoa finds that human trafficking is a form of modern-day slavery. It occurs where one person subjects another to force, fraud, or coercion for the purpose of forced labor or services, or sexual exploitation. There is an estimated 20.9 million human trafficking victims worldwide at any time. For forced labor, about 55% of these victims are women and children. For sex trafficking, it is overwhelming 98% women and children. Yet, this still means that men and young boys are victims as well. Most important of all, human trafficking is not solely an international phenomenon that only happens overseas to other people. Sadly, human trafficking is a local concern that happens every day on our island to family, friends, or neighbors who are imprisoned in plain sight.

The Legislature of American Samoa finds that our island's shores have been tainted by human trafficking. While our constitution prohibits slavery and involuntary servitude, our existing law does not make them crimes. And as a result, our soil has become fertile ground for human trafficking. Our lands have witnessed hundreds of women forced to work as slaves in factories. They have seen women and children brought here for sexual exploitation. Our lands have also stood by while foreigners and family alike have been lured here by promises of the American Dream, only to be treated as slaves. For every incidence of human trafficking brought to light, there continue to be men, women, and children who suffer in silence. It is time for American Samoa to join in the fight against human trafficking and commit to eliminate this evil from our shores.

The Legislature of American Samoa finds it necessary that our government incorporates four principles in its campaign against human trafficking: Prevention; Protection; Prosecution; and Partnership. Prevention is a key element in fighting human

trafficking. Through public awareness, education, and outreach and professional training, we must learn how to identify, report, and respond to incidents of human trafficking.

For protection, the government of American Samoa must develop measures and protections that go beyond simply identifying and rescuing victims. Our government must establish procedures and create opportunities for victims to heal and become productive members of the community. Prosecution is another crucial element in fighting human trafficking. We must provide the resources, technical assistance, and support needed for our law enforcement and judiciary to ensure that traffickers are brought to justice and their sentences reflect the severity of the inhuman treatment they inflicted upon their victims.

Last but not least, we need to learn from, listen to, and work with, each other. Human trafficking is the result of a criminal network that crosses borders and seas. American Samoa's response must be the same. We must commit to building partnerships with each other, among villages, among agencies, and with governments and organizations all over the world. American Samoa needs the expertise and resources, as well as the eyes and ears of everyone and every group on this island.

The Legislature of American Samoa finds that past incidents of human trafficking here shows anyone can be a victim. Human trafficking is not limited to a certain age, gender, ethnicity, or nationality, or isolated to certain villages. The past has shown that the victims are: our mothers and fathers; our brothers and sisters; our nieces and nephews; our sons and daughters; and our friends and neighbors.

This bill is the first step in ensuring that the past will not be repeated. This bill would establish the crime of human trafficking of a person or minor for forced labor or services, or commercial sex acts. This bill would make the crime of human trafficking a priority for our government, our law enforcement, and our community.

Human trafficking has gone on too long, thriving on our soil. It is time that American Samoa comes together and moves forward in eliminating modern slavery from our island.

BE IT ENACTED BY THE LEGISLATURE OF AMERICAN SAMOA:

Section 1. There is created a Chapter 50 of Title 46 A.S.C.A. which reads:

**“CHAPTER 50
ANTI-HUMAN TRAFFICKING AND INVOLUNTARY SERVITUDE**

Sections:

46.5001 Definitions.

- 46.5002 Human trafficking.**
- 46.5003 Human trafficking of a minor.**
- 46.5004 Involuntary servitude.**
- 46.5005 Sentencing considerations.**
- 46.5006 American Samoa Human Trafficking Taskforce.**
- 46.5007 Mandatory training.**
- 46.5008 Mandated reports of trafficking of a minor.**
- 46.5009 Mandatory reporting of a minor's death.**
- 46.5010 Victim services.**
- 46.5011 Temporary protected status.**
- 46.5012 Victim confidentiality.**

46.5001 Definitions.

For the purpose of this chapter, the following terms are defined as follows:

(a) **“Coercion”** includes any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against a person.

(b) **“Commercial sex act”** means any sex act or sexual conduct on account of which anything of value is given, promised to, or received by any person.

(c) **“Debt bondage”** means to use any debt, legally owed or otherwise, to force, compel, to pressure another person into doing any act which he or she would otherwise not have submitted to or performed.

(d) **“Duress”** includes a direct or implied threat of force, violence, danger, hardship, retribution, or serious harm sufficient to cause a person to acquiesce in or perform an act which he or she would otherwise not have submitted to or performed.

(e) **“Forced labor or services”** means labor or services that are performed or provided by another person and are obtained or maintained through force, fraud, or coercion, deceit, or equivalent conduct that would reasonably overbear the will of the person.

(f) **“Liberty”** under this chapter means personal freedom; such as, but not limited to freedom from servitude, physical restraint, confinement, forced labor, or sexual exploitation. It also means a person having agency or control over their own actions and choices, and exercising his or her free will.

(g) **“Minor”** means a person less than 18 years of age.

(h) **“Serious harm”** includes any harm, whether physical or nonphysical, including psychological, financial, or reputational harm that compels a person to perform or to continue performing forced labor or services, or commercial sex acts in order to avoid incurring that harm. **“Serious harm”** can also be a direct or implied threat to destroy, conceal, remove, confiscate, or possess any actual or purported passport or immigration document of the victim; the abuse or threatened abuse of the legal process; debt bondage; or the use or threatened use of controlled substances to impair the person's judgment.

(i) "Sex act" is defined as "sexual intercourse" which means any penetration, however slight, of the female sex organ by the male sex organ, whether or not an emission results.

(j) "Sexual conduct" is defined as "sexual contact" which means any touching of the genital or anus of any person or the breast of any female person, or any such touching through the clothing, for the purpose of arousing or gratifying sexual desire of any person.

(k) "Unlawful deprivation or violation of the personal liberty of another" includes restriction of another's liberty accomplished through fraud, deceit, coercion, violence, duress, menace, or threat of unlawful injury to the victim or to another person, where the person receiving or apprehending the threat believes that it is likely that the person making the threat would carry it out, whether the person actually has the authority or legal standing to do so.

46.5002 Human trafficking.

Any person who deprives or violates the personal liberty of another with the intent to obtain forced labor or services, or to engage in a commercial sex act, or both, is guilty of human trafficking as a Class B felony.

46.5003 Human trafficking of a minor.

(a) Any person who causes, induces, or persuades, or attempts to cause, induce, or persuade, a person who is a minor to perform forced labor or services, or to engage in a commercial sex act, or both, is guilty of human trafficking as a Class A felony. The sentence of imprisonment must include a prison term of at least 10 years. This prison term is served without probation or parole.

(b) Consent by a victim of human trafficking who is a minor at the time of the commission of the offense is not a defense to a criminal prosecution under this section.

(c) Mistake of fact as to the age of a victim of human trafficking who is a minor at the time of the commission of the offenses is not a defense to a criminal prosecution under this section.

46.5004 Involuntary servitude.

Any person who holds, or attempts to hold, any person in involuntary servitude, or assumes, or attempts to assume, rights of ownership over any person, or who sells, or attempts to sell, any person to another, or receives, money or anything of value, in consideration of placing any person in the custody, or under the power or control of another, or who buys, or attempts to buy, any person, or pays money, or delivers anything of value, to another, in consideration of having any person placed in his or her custody, or under his or her power or control, or who knowingly aids or assists in any manner anyone who violates this statute, is guilty of involuntary servitude as a Class C felony.

46.5005 Sentencing consideration.

In determining the particular sentence to be imposed on a defendant convicted under section 46.5002, 46.5003, or 46.5004, the court may consider many factors, including the duration of trafficking, the extent of serious harm suffered, the means of force, fraud, or coercion employed.

46.5006 American Samoa human trafficking taskforce.

Within one year, a territory wide task force shall be established under the Office of the Governor. This task force shall be headed by the Department of Homeland Security and shall comprise members from pertinent government agencies and nongovernment organizations to:

- (1) Identify the scope of human trafficking in American Samoa.
- (2) Establish a system for collecting and organizing data on human trafficking.
- (3) Develop interagency procedures to collect, share, and organize data.
- (4) Providing on-going evaluation on American Samoa's progress against human trafficking.
- (5) Develop response and training protocols.
- (6) Identify potential assessment center where first responders can confidentially and safely conduct intakes of potential victims of human trafficking.
- (7) Foster collaboration and consultation with governmental and nongovernmental organizations, and other entities, to advance the purposes of this Act.

46.5007 Mandatory training.

In coordination with the Department of Homeland Security, the Department of Public Safety shall receive mandatory and on-going training on human trafficking for all law enforcement and emergency first responders in American Samoa.

46.5008 Mandated reports of trafficking of a minor.

(a) Any person specified in subsection (b) who has reasonable cause to know or suspect that a minor has been or is a victim of human trafficking shall immediately report or cause a report to be made of that fact to the Child Protection Agency, who immediately informs the Department of Public Safety.

(b) Persons required to report the human trafficking or circumstances or conditions includes any:

- (1) physician or surgeon, including a physician in training;
- (2) child health associate;
- (3) medical examiner or coroner;
- (4) dentist;
- (5) osteopath;

- (6) optometrist;
- (7) chiropractor;
- (8) chiropodist or podiatrist;
- (9) registered nurse or licensed practical nurse;
- (10) hospital personnel engaged in the admission, care, or treatment of patients;
- (11) Christian science practitioner;
- (12) school official or employee;
- (13) social worker or worker in a family care home or child care center; and
- (14) mental health professional.

(c) In addition to those persons specifically required by this section to report known or suspected trafficking of a minor, any other persons are urged and authorized to report known or suspected trafficking of a minor to the Department of Public Safety or the Child Protection Agency.

(d) Any person who willfully violates the provisions of subsection (a):

- (1) commits a Class A misdemeanor; and
- (2) is liable for those damages proximately caused.

46.5009 Mandatory reporting of a minor's death.

Any person who is required by 46.5008 A.S.C.A. to report known or suspected trafficking of a minor and anyone who has reasonable cause to suspect that a child died as a result of human trafficking shall report that fact immediately to the Department of Public Safety. The department accepts the report for investigation and reports its findings to the Office of the Attorney General.

46.5010 Victim services.

The American Samoa Government shall provide services to victims of human trafficking. The Department of Homeland Security shall be the lead agency for coordinating services to victims of human trafficking. These services shall include but not be limited to the following:

(a) Counseling services as provided by Department of Human and Social Services, Department of Health or LBJ Tropical Medical Center to victims of human trafficking as limited resources and capacity at respective Territorial institutions and facilities allow.

(b) Emergency medical services. Further medical examinations, evaluations, and treatment may be implemented, depending on the limitations on physical capacity or programs at the respective Territorial institutions and facilities.

(c) Education. Teachers, books, or equipment shall be furnished for the proper education of minor victims of human trafficking present in the trafficking shelter, or equivalent housing.

46.5011 Temporary protected status.

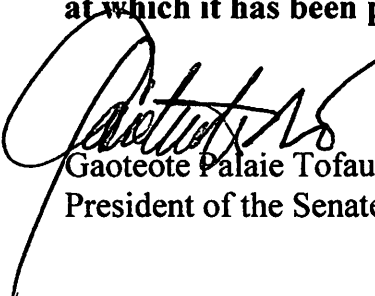
To encourage victims of human trafficking to come forward and to aid the investigations and prosecutions of violations of human trafficking as defined under this chapter, the Office of the Attorney General may grant "Temporary Protected Status" to potential victims of human trafficking.

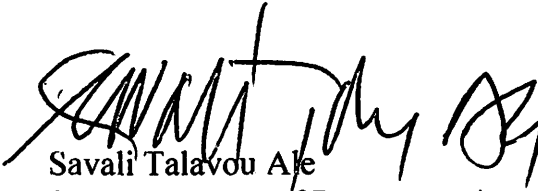
46.5012 Victim confidentiality.

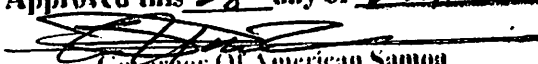
Information obtained from victim is privileged and confidential and protected from disclosure. The American Samoa Government shall implement measures to ensure that the victim's name and other personally identifiable information shall remain confidential and private. Department of Homeland Security, in coordination with the Department of Public Safety and the Attorney General's Office shall develop policies on how limited information about human trafficking victims shall be shared among government and nongovernment agencies in responding to victims. A victim's informed consent to limited sharing of information cannot be construed as a waiver of any confidentiality or any privilege."

Sec 2. Effective date.

In accordance with Article II, Section 19 of the Revised Constitution of American Samoa, this bill shall become effective 60 days after the end of the session at which it has been passed.


Gaoteote Palaie Tofau
President of the Senate


Savali Talavou Ale
Speaker, House of Representatives

Hereby Approved this 28 day of MARCH 20

Governor Of American Samoa

NOFOAIGA TOLUSEFULU-TOLU FONOFAITULAFONO AMERIKA SAMOA

Fono Tele Lona Tolu

Nofioia ma usuia i Fagatogo, Tutuila, Amerika Samoa
Aso Gafua, aso sefulutolu o Ianuari
lua afe sefulu fā

O SE TULAFONO E FAAVAE AI LE SOLITULAFONO O LE AVE FAAMALOSI O SE TAGATA POO SE TAMAITITI MO LE FAIA O AUAUNAGA FAAMALOSI, POO NI GAOIOIGA FAAFEUSUAIGA TOTOGI MA FAIA AI LEA SOLITULAFONO O SE FAAMUAMUA A LE MALO, O VAEGA FAAMALOSI TULAFONO, MA LO TATOU ATUNUU; FAAVAE AI SE MATAUPU 50 I LALO O LE ULUTALA 46 T.T.A.S.

Faatomuaga:

Ua silafia e le Fonofaitulafono a Amerika Samoa o le feavea'ia faamalosi o tagata o se ituaiga o faiga faapologa faa-ona-po-nei. O le mea e tupu pe a faamalosi ma faatosina e le tasi tagata se isi e faia faamalosi se galuega poo se auauga, pe faaoga foi i ni gaoioiga faafeusuaiga. O loo fuafua e to'a 20.9 miliona tagata o loo afaina i le lalolagi i faiga faapea. Mo le galue faamalosi, e tusa ma le 55% o latou ia o tamaitai ma tamaiti. Mo le ave faamalosi mo feusuaiga, o le 98% o tamaitai lava ma tamaiti. O lona uiga o lea mea, o loo afaina foi alii ma tama talavou. O le mea e sili ona taua, o le ave faamalosi o tagata e le o se mea e gata i fafo ona tupu. O le faanoanoaga, o lea lava amioga, o se atugaluga foi i lo tatou lotoifale, e tupu i aso uma i aiga, uo, poo tua'oi o loo taofiofia faapagota i luma o mata.

Ua silafia e le Fonofaitulafono a Amerika Samoa ua pisia o tatou laufanua i le feaveai faamalosi o tagata. E ui ina faasā e lo tatou faavae le faiga faapologa ma auunaga fai faamalosi, ae e le o ave ia mea ma solitulafono ia tatou tulafono o loo i ai nei. Ma o le mea ua tupu mai, ua ave o tatou eleele ma laufanua lausiusi mo nei ituaiga amioga. Ua molimauina le faamalosi o tamaitai e galulue faapologa i fale gaosi mea. Ua iloa tamaitai ma tamaiti ua aumaia iinei mo le faaogaina i faiga faafeusuaiga. Ua leva foi ona tatou nonofo ma vaavaai a o loo faatosina tagata mai fafo ma aiga foi i folafolaga o le soifuaga manuia fa'aamerika, ae paga lea ua na ona ave latou ma pologa. Soo se taimi e oo mai ai i lumamea le mataupu leni i le ave faamalosi o tagata, o loo i ai pea alii, tamaitai, ma tamaiti o loo mafatia e aunoa ma se upu. Ua oo i le taimi e tatau ai ona i ai Amerika Samoa i le taua faasaga i le feaveai faamalosi o tagata ma ia faamaoni loa lona lotolotoi ai ina ia tafiesea leni faiga mataga mai o tatou laufanua.

Ua manatu le Fonofaitulafono a Amerika Samoa ua matua alagata i le malo ona tuufaatasia mea nei e 4 i lana kemupeni faasaga i le feaveai faamalosi o tagata: Taofia aua nei tupu mai; Puipuia; Faamasinoina; ma le faia o le Pa'aga. O le taofia ia aua nei tupu mai o le ki lea i le taua faasaga i le ave faamalosi o tagata. Ua tataua ona tatou aoao pe faapefea ona iloga gofie, lipoti, ma tali atu i lea faafitauli e ala i le faalauaiteleina o le silafia, a'oa'oga, o le aapa atu ma le toleni faapropofesa.

Mo le puipuia, ua tataua i le malo o Amerika Samoa ona atia'e ni faiga ma ni puipuiga e oo i tua atu o le na o le faailoaina ma laveai e mafatia. Ua tataua i lo tatou malo ona faavae ni faagasologa ma faatulaga avanoa mo tagata afaina e toe fuataina ai lo latou soifua ma avea ma tagata aoga o le atunuu. O le isi itu taua o le taua faasaga i faiga nei o le faamasinoga. Ua tataua ona tatou saunia ni alamanuia, fesoasoani, ma le lagolago atu e pei ona manaomia, i a tatou vaega faamalosi tulafono ma le vaega o faamasinoga ina ia mautinoa ai ia aumai ma tutu i luma o le faamasinoga tagata o loo latou faia lea amioga ma ia tuu i ai faasalaga e atagia ai le matuia o lo latou faiga le alofa na faia ia i latou na afaina.

O le mea mulimuli, ae le faaititia ai lona taua, ua tataua ona tatou aoao mai, faalogo, ma galulue faatasi. O le feavea'ia faamalosi o tagata mo auunaga faifaamalosi, e mafua mai i se vaega fesootai faatasi tau solitulafono e laasia ai tua'oi ma vasa. O le tali a Amerika Samoa e tataua ona tutusa. Ua tatou ona tatou fai pa'aga faatasi o le tasi i leisi, i totonu o nuu, o vaega faigaluega, ma malo ma faalapotopotoga i le lalolagi. E manaomia e Amerika Samoa le tomai faapitoa ma faiga, faapena foi i le avea ai ma mata ma taliga o tagata taitoatasi ma vaega uma i totonu o lenei motu.

Ua silafia e le Fonofaitulafono a Amerika Samoa o mea na tutupu i taimi ua alu i le mataupu lava lenei ua faaalua ai e mafai e soo se tasi ona afaina i amioga nei. O le feaveai faamalosi o tagata e le faatapulaa i se matua, poo se tane poo se fafine, le ituaiga tagata, le mea e sau ai pe faapitoa foi i ni nuu. Ua faaalua i mea na tutupu o i latou afaina: o tina ma tama; tuagane/tuafafine ma uso; fanau a uso ma tuagane; o a tatou fanau tama ma teine; ma a tatou uo ma tua'oi.

O lenei pili o le laasaga muamua lea o le taumafaiga ina ia mautinoa ai e le toe tupu le mea sa tupu. O lenei pili o le a faavae ai le solitulafono o le feaveai faamalosi o se tagata poo se tamaititi mo le galue faamalosi poo le faia o se auunaga, poo le faia o gaoioiga totogi faafeusuaiga. O lenei pili o le a avea ai ma faamuamua a le malo, le faamalosi tulafono, ma le atunuu le solitulafono o le feaveai faamalosi o tagata.

O le feaveai faamalosi o tagata ua umi tele ona fai, ma ua tupu ma ola i o tatou laufanua. Ua oo mai le taimi e tutu faatasi ai Amerika Samoa ma savali agai i luma e tineia le faapologa faaonaponei i lo tatou motu.

IA FAATULAFONOINA E LE FONOFAITULAFONO A AMERIKA SAMOA:

Maga 1. Ua faavae nei se mataupu 50 i lalo o le ulutala 46 T.T.A.S. e faitauina:

**“MATAUPU 50
FAASA O LE FEAVEA’I O TAGATA MA LE FAAPOLOGA**

Maga:

- 46.5001 Uiga.**
- 46.5002 Feaveaia faamalosi o tagata.**
- 46.5003 Fe’avea’ia faamalosi o se tamaititi.**
- 46.5004 Auaunaga faamalosi.**
- 46.5005 Faasalaga.**
- 46.5006 Vaega galulue a Amerika Samoa mo le feaveai faamalosi o tagata.**
- 46.5007 Toleni e tatau ona auai ai.**
- 46.5008 Lipoti faaletulafonoina o le feaveai faamalosi o se tamaititi.**
- 46.5009 Tatau ona lipotia o le maliu o se tamaititi.**
- 46.5010 Auaunaga mo tagata afaina.**
- 46.5011 Tulaga puipuia lē tumau.**
- 46.5012 Puipuia o faamatalaga faatatau i le tagata afaina.**

46.5001 Uiga.

Mo leni lava mataupu, o uiga nei o upu o le a ta’ua atu i lalo:

(a) “Faatosina e fai faamalosi” e aofia ai se taupulepulega, fuafuaga, poo se faiga e faamoemoe e faatalitonu ai se tasi a le faia se mea o loo manao ai o le a matuia se afaina e oo i ai, pe taofia faamalosi foi se tasi.

(e) “Gaoioiga totogi faafeusuaiga” o lona uiga soo se gaoioiga faafeusuaiga poo se amio faapea e tuuina atu ai se totogi, folafola atu, pe talia foi e se tasi tagata.

(i) “Pone o se aitalafu” o lona uiga o le faaaogaina o soo se aitalafu, pe faaletulafono pe leai foi, e faamalosi ai se tasi e faia se gaoioiga e le masani ona faia e ia pe ana fai e le faamalosia.

(o) “Faiga faamalosi” e aofia ai faiga faamalosi tuusa’o pe ui atu i ni tala poo mea e fai, fasi, poo isi lava faiga matuia e mafai ona faamalosi ai se tasi e malie mai pe faia foi se gaoioiga e le faia e ia pe ana leai faiga faamalosi.

(u) “Gaoioiga poo auaunaga faamalosi” o lona uiga o ni auaunaga e faia e se tasi tagata e ala i le faamalosi, taufaasese, faatosina ia fai faamalosi poo isi lava amio faapena e faamalosi ai le gauai o se tasi ia faia.

(f) “Saolotoga” i lalo o leni mataupu o lona uiga o le saolotoga o le tagata lava ia; e pei o le saoloto ai mai le galue pei o se pologa, taofiofia, faasasa le ona fealuai, galue faamalosi, poo le faaoga mo feusuaiga. E faauigaina foi o se tagata o loo i ai le pule e fai ai le mea e loto i ai ma fai ai lana lava filifiliga saoloto.

(g) “Tamaititi” o lona uiga o se tagata e lei atoa le 18 tausaga le matua.

(l) “Afaina matuia” e aofia ai soo se afaina, pe o le tino pe leai foi, e aofia ai le mafatia o le mafaufau, tau tupe, poo le afaina ai o le amio e faamalosia ai se tasi

e faia pe faaaauau ona faia se galuega poo ni auaunaga fai faamalosi, poo ni gaoioiga faafeusuaiga ina ia aloese ai mai lena afaina. “Afaina matuia” e mafai foi ona tuusao pe leai foi ina ia faaleaga, natia, aveese, fao, pe umia ai se tusifolau poo pepa tau femalaga’iga o le tagata afaina.

(m) “Gaoioiga tau feusuaiga” e faauigaina o le “feusuai” o lona uiga soo se ulufia lava, tusa poo le a le laititi, e le totogasa o le tane o totogasa o le tamaitai, tusa lava pena alu le suaola o le tane pe leai foi.

(n) “Amio faafeusuaiga” e faauigaina o le “fepa’ia’i o totogasa”, o lona uiga soo se pa’i atu lava i totogasa poo le itu i tua (anus) o soo se tagata, poo le susu foi o soo se tamaitai, poo soo se pa’i lava faapea e ui atu i lavalava, mo le faamoemoe e faaosofia ai pe faamalie ai foi le mana’o o le tino o soo se tagata.

(p) “Aveesea e le tusa ma le tulafono poo le solia o le saolotoga faitoatasi o le isi” e aofia ai le faasasa o le saolotoga o le isi tagata e ala i faiga taufaasese. Faatosina, sauaina, faamata’u ma isi faiga le talafeagai e faia i le tagata tonu e afaina poo se isi foi tagata, ma o le tagata lea o loo faia i ai ia faiga, e talitonu ia e tauau lava ina faataunuu ia faiga ma folafolga taufaamata’u, pe mata e i ai i lea tagata le pule poo le tulaga faatulafono e faia ai ia mea.

46.5002 Feavea’ia faamalosi o tagata.

Soo se tagata na te e aveesea pe soli foi le saolotoga faitoatasi o se isi ma le faamoemoe e maua ai se galue pe auauna faamalosi, pe faia ai foi se gaoioiga faafeusuaiga e totogi, poo mea e lua, e nofosala i le tulafono lenei o se solitulafono o le Vasega E(B).

46.5003 Feaveaia faamalosi o se tamaititi.

(a) Soo se tagata e faamalosi, tauanau, pe taumafai e faia se gaoioiga faapea i se tamaititi ina ia faamalosi ai e faia se galuega poo se auaunaga, pe faia foi se gaoioiga totogi tau feusuaiga, poo mea uma e lua, e nofosala ia i le ave faamalosi o se solitulafono mamafa Tulaga A. O le faasalaga o le falepuipui e tatau ona aofia ai le taimi e le ititi ifo i le 10 tausaga. O lea faasalaga e le agavaa i se nofo vaavaaia poo le palola.

(e) O le malie o le tagata afaina i le ave faamalosi a e o loo tamaititi i le taimi na faia ai le solitulafono e le o se alofaga lea mea e puipuia se tagata i le faamasinoga i lalo o lenei maga.

(i) O se sese i tausaga o se tamaititi afaina i le taimi na faia ai le solitulafono e le fai lea ma alofaga i le taimi o le faamasinoga i lalo o lenei maga.

46.5004 Auaunaga faamalosi.

Soo se tasi e taofia, taumafai e taofi, soo se tagata e auauna faamalosi, pe na te ave faamalosi ai o se tagata, pe faatau atu, taumafai e faatau soo se tagata i se isi tagata, pe taliaina ni tupe poo se tasi mea aoga, mo le tuuina atu o se tagata e taofia ma vaaia pe i lalo o le malosi ma le vaaiga a se isi tagata, pe faatau mai, pe taumafai e faatau mai soo se tagata, totogi atu tupe pea avatu se mea aoga i se isi mo le

aumaia o se tasi e taofia e ia, poo lalo o lona malosi poo lana pule, pe fesoasoani ma le iloa lelei pe fesoasoani foi i soo se auala e solia lenei tulafono, ua nofosala i le auaunaga fai faamalosi o se solitulafono mamafa Tulaga I(C).

46.5005 Faasalaga.

I le mafaufauina o le faasalaga e faaee atu i se tasi na ta'usala i lalo o le maga 46.5002, 46.5003, poo le 46.5004, e mafaufauina e le faamasinoga le tele o itu, e aofia ai le umi na faia ai le feaveai faamalosi, le tele na oo i ai le afaina o le tagata, auala na faia ai le faiga faamalosi, taufaasese ma le ituaiga faamalosi na faaaoga.

46.5006 Vaega galulue a Amerika Samoa mo le feaveai faamalosi o tagata.

I totonu o le tausaga, o le a faavaeina se komiti galulue i lalo o le Ofisa o le Kovana. O lenei vaega e faauluulu i le Matagaluega o le Saogalemu o le Lotoifale ma o le a i ai sui mai vaega talafeagai a le malo atoa foi ma faalapotopotoga tua latou te galulue i mea nei o le a ta'ua:

(1) Faailoa le mea ua oo i ai le tulaga o le feaveai faamalosi o tagata i Amerika Samoa.

(2) Faatū se faiga e aoina ai ma tuufaatasia faamaumauga i le feaveai faamalosi o tagata.

(3) Atia'e faagasologa i le vā o ofisa e aoina, faasoa, ma tuufaatasia faamaumauga.

(4) Aumaia se vaaiga i le tulaga ua oo i ai Amerika Samoa faasaga i le feaveai faamalosi o tagata.

(5) Atia'e le tali atu ma le faia o toleniga.

(6) Faailoa ni nofoaga e faaono faia ai galuega a tagata e muai tali atu ina ia talia ai ma puipuia ai faamatalaga faatatau i tagata afaina i le feaveai faamalosi.

(7) Galue mo le tuufaatasia ma le fesootai ma faalapotopotoga a le malo ma vaega tua, ma isi nofoaga ina ia una'ia ai mafuaga o lenei Tulafono.

46.5007 Toleni e tatau ona auai ai.

I le galulue ai ma le Matagaluega o le Saogalemu o le Lotoifale, o le a maua e le Matagaluega o le Saogalemu Lautele toleniga e tatau ona auai e faatatau i le feaveai faamalosi o tagata mo i latou uma e faamalosi le tulafono ma i latou e tali muamua atu i faalavelave faafuasei i Amerika Samoa.

46.5008 Lipoti faaletulafonoina o le feaveai faamalosi o se tamaititi.

(a) Soo se tasi e faapito i ai lenei soamaga (e) e i ai se mafuaga tatau e iloa ai pe masalomia se tamaititi ua afaina i le feaveai faamalosi ia lipoti loa lava pe faia foi se lipoti i le Vaega e Puipuia Fanau, o ia lea o le a ia faailoa loa lava le Matagaluega o le Saogalemu Lautele.

(e) O tagata e manaomia mo le lipotia o mataupu nei e aofia ai i latou o le a ta'ua:

(1) fomai e aofia ai ma se fomai o loo a'oga/toleni;

- (2) se tasi e galue mo le soifuamaloloina o fanau;
- (3) se tagata e faia suega faafomai poo se tasi e suesue le mafuaga o le maliu o se tasi;
- (4) fomainifo;
- (5) fomai ponaivi;
- (6) fomai mata;
- (7) tagata e galue i neura/sooga o ivi;
- (8) tagata e vaaia vae ma lima;
- (9) tausimai lesitalaina poo se tausimai lpn;
- (10) tagata faigaluega a le falemai na te vaaia le taofia, tausia, poo le togafitia o gasegase;
- (11) tagata e vaavaai i mea tau saienisi kerisiano;
- (12) se faiaoga poo se tagata faigaluega;
- (13) tagata galue mo le soifua manuia lautele poo sē e galue i se nofoaga e tausia ai aiga poo fanau; ma
- (14) porofesa tau le soifuamaloloina o le mafaufau.
 - (i) E le gata i tagata o loo manaomia faapitoa i lenei maga latou te lipotia le moni o le feaveai faamalosi o se tamaititi pe masalomia foi, ae e fautuaina ma faatagaina foi soo se isi lava tagata e lipoti mai se solitulafono faapenei faasaga i se tamaititi i le Matagaluega o le Saogalemu Lautele poo le Vaega e Puipuia Fanau.
 - (o) Soo se tagata na te solia ma le loto i ai aiaiga o le soamaga (a):
 - (1) ua soli e ia le tulafono mama Tulaga A; ma
 - (2) e noatia ia mo mea leaga na tutupu mai ai.

46.5009 Tatau ona lipotia o le maliu o se tamaititi.

Soo se tagata e manaomia i le 46.5008 T.T.A.S. e lipotia se feaveai faamalosi o se tamaititi ua mautinoa pe masalomia foi ma soo se tasi o i ai se mea e mafua ai ona masalosalo ua maliu se tamaititi ona o le feaveaia faamalosi e tatau ona lipotia vave atu loa lea mea i le Matagaluega o le Saogalemu Lautele. E talia e le matagaluega le lipoti mo suesuega ma lipotia ana faaiuga i le Ofisa o le Loia Sili.

46.5010 Auaunaga mo tagata afaina.

O le a faia e le Malo o Amerika Samoa auaunaga mo e afaina i le feaveai faamalosi. O le Matagaluega o le Saogalemu o le Lotoifale e ta'imua i le tuufaatasi o auaunaga mo i latou ua afaina. O ia auaunaga e aofia ai, ae le gata ai foi, mea nei:

(a) Auaunaga faufautua e pei ona saunia e le Matagaluega o le Saogalemu o le Lotoifale, Matagaluega o le Soifuamaloloina poo le Falemai LBJ e tuuina atu mo latou e afaina i lenei tulafono ona e tapulaa alamanuia atoa foi ma le mafai, o vaega o loo i le Teritori.

(e) Auaunaga tau falemai mo faalavelave faafuasei. E mafai ona faagaioioi nisi suesuega tau falemai ma togafitiga, e faalagolago i tapulaa e oo i ai le mafai i vaega ia e pei ona ta'ua.

(i) A'oga. O le a maua faia'oga, tusi, ma mea faigaluega mo le aoaoina lelei o tamaiti afaina o loo i totonu o le fale o loo faamautu i ai, poo nisi foi fale e tutusa ma ia.

46.5011 Tulaga puipuia lē tumau.

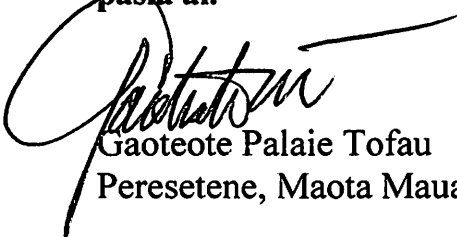
Ina ia una'ia tagata afaina o le tulafono leni ina ia tulai mai ma fesoasoani i suesuega ma le faamasinoina o le au solitulafono e pei ona faailoa ai i lalo o leni mataupu, e mafai ona tuuina atu e le Ofisa o le Loia Sili le "Tulaga Puipuia Lē Tumau" mo i latou nei na afaina i le feaveai faamalosi.

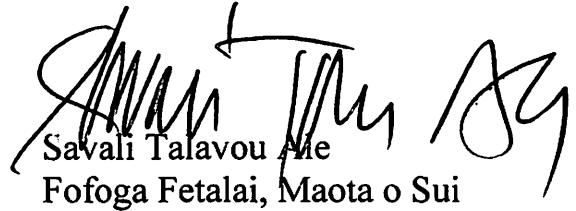
46.5012 Puipuia o faamatalaga faatatau i le tagata afaina.

O faamatalaga mai tagata afaina e le mafai ona faalauaiteleina. E faaaoga e le Malo o Amerika Samoa faiga e mautinoa ai le malupuipuia o le igoa ma isi faamatalaga e faailoa ai le tagata afaina. I le galulue faatasi ai o le Matagaluega o le Saogalemu o le Lotoifale ma le Saogalemu Lautele atoa ai ma le Ofisa o le Loia Sili o le a o latou atia'e ai ni faigatausisia i auala e mafai ai ona fetufaai ma nisi vaega a le malo ma faalapotopotoga tua ni nai faamatalaga faatapulaa e faatatau i tagata afaina i le tulafono leni. E le mafai ona faapea o le maliega o le tagata afaina i tala e mafai ona fetufaai ai, o se tuusaunoaga lea mea e faatatau i le puipuia o poo sona aia."

Maga 2. Aso e Tauloa ai.

Ina ia tusa ai ma le Vaega II, Maga 19 o le Faavae Toe Teuteu o Amerika Samoa, o le a tauloa ai leni pili i totonu o le 60 aso talu ona mae'a le tauaofiaga na pasia ai.


Gaoteote Palaie Tofau
Peresetene, Maota Mau'aluga


Savali Talavou Aie
Fofoga Fetalai, Maota o Sui

Hereby Approved this 78 day of DECEMBER 2014


Governor of American Samoa