

**I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN  
RESOLUTIONS**

Resolution No.	Sponsor	Title	Date Intro	Date of Presentation	Date Adopted	Date Referred	Referred to	PUBLIC HEARING DATE	DATE AUTHORS REPORT FILED	NOTES
447-37 (COR) As amended by the Author.	Jesse A. Lujan Tina Rose Muña Barnes Joanne M. Brown Therese M. Terlaje Joe S. San Agustin Dwayne T.D. San Nicolas Sabina Flores Perez Telo T. Taitague Chris Barnett Roy A. B. Quinata Frank Blas, Jr. Thomas J. Fisher Christopher M. Dueñas William A. Parkinson Amanda L. Shelton	Relative to requesting the United States Secretary of Transportation to authorize a temporary twenty-four (24) consecutive month exemption to expand cargo and passenger flexibility at the A.B. Won Pat International Airport Authority, Guam and allow certain foreign air carriers to stop in Guam in the course of transportation of passengers or cargo in either direction between a place in the United States and a place outside the United States, and for other purposes.	7/11/24 10:30 a.m.		10/7/24	7/12/24	Author	8/2/24 5:30 p.m.	9/9/24 11:13 a.m.	

*I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN*  
2024 (SECOND) Regular Session

**Resolution No. 447-37 (COR)**

As amended on the Floor.

Introduced by:

Jesse A. Lujan  
Tina Rose Muña Barnes  
Joanne M. Brown  
Therese M. Terlaje  
Joe S. San Agustin  
Dwayne T.D. San Nicolas  
Sabina Flores Perez  
Telo T. Taitague  
Chris Barnett  
Roy A. B. Quinata  
Frank Blas, Jr.  
Thomas J. Fisher  
Christopher M. Dueñas  
William A. Parkinson  
Amanda L. Shelton

Relative to requesting the United States Secretary of Transportation to authorize a temporary twenty-four (24) consecutive month exemption to expand cargo and passenger flexibility at the A.B. Won Pat International Airport Authority, Guam and allow certain foreign air carriers to stop in Guam in the course of transportation of passengers or cargo in either direction between a place in the United States and a place outside the United States, and for other purposes.

- 1        **BE IT RESOLVED BY *I MINA'TRENTAI SIETTE NA LIHESLATURAN***  
2 ***GUÅHAN*:**  
3        **WHEREAS**, limited air competition has made flights from Guam to the  
4 Commonwealth of Northern Mariana Islands (CNMI), to Hawaii, or to the U.S.

1 mainland, exceedingly expensive, imposing a significant financial burden on residents,  
2 visitors, and military personnel stationed on the island, ultimately restricting their  
3 ability to travel affordably and frequently; and

4 **WHEREAS**, the Antonio B. Won Pat International Airport, Guam (IATA:  
5 GUM) relies heavily on foreign air carriers for transportation needs due to the limited  
6 availability and high costs of U.S. carrier flights; and

7 **WHEREAS**, Japan, the Philippines, and the Republic of Korea are critical allies  
8 of the United States in the Indo-Pacific region, and their air carriers have been essential  
9 in bridging the transportation gaps between the U.S. and the Pacific islands; and

10 **WHEREAS**, facilitating the operation of foreign air carriers from these nations  
11 in Guam would enhance connectivity, promote competition, reduce travel costs, and  
12 boost tourism and economic development in the region; and

13 **WHEREAS**, in June 2024, Guam Delegate to the U.S. House of Representatives,  
14 the Honorable James C. Moylan, introduced the Pacific Island Flight Alternatives Act  
15 of 2024 (PIFAA) which seeks to amend Section 41703 of Title 49, United States Code,  
16 to allow certain foreign air carriers to add or remove passengers or cargo in Guam or  
17 CNMI without breaking the international journey, thereby enhancing air commerce in  
18 these territories; and

19 **WHEREAS**, the government of Guam has a longstanding commitment to  
20 seeking regulatory changes that enhance air service access and economic opportunities;  
21 and

22 **WHEREAS**, in 2002, Guam's leaders, including the Antonio B. Won Pat  
23 International Airport Authority, Guam Board of Directors, the 27<sup>th</sup> Guam Legislature,  
24 and the Governor of Guam, united in support of petitions for exemptions that would  
25 allow Guam to better utilize its geographic location for economic advantage,

1 highlighting the potential for economic benefits from increased U.S. and foreign air  
2 carrier activity; and

3 **WHEREAS**, the U.S. Department of Transportation has previously granted  
4 exemptions from domestic air service regulations to international airports in Alaska and  
5 Hawaii to promote increased U.S. and foreign air carrier activity, recognizing the unique  
6 needs of these regions; and

7 **WHEREAS**, the government of Guam's endeavors to ease air transportation  
8 restrictions is further evidenced by the efforts to petition the U.S. Department of  
9 Transportation for exemptions from restrictive regulations, such as in the case presented  
10 to Ms. Dorothy Beard, Director, Documentary Services, U.S. Department of  
11 Transportation, in February of 2006, where the Guam Legislature wrote to Ms. Dorothy  
12 Beard referencing the state of Alaska's petition (OST-96-1600), which explicitly  
13 acknowledged Guam's special needs for air services and the regulatory power to assist  
14 in the economic well-being of the island. The petition highlighted the economic benefits  
15 of such an exemption for the A.B. Won Pat International Airport, Guam, particularly in  
16 enhancing the island's ability to compete in the trans-Pacific travel and cargo markets;  
17 and

18 **WHEREAS**, the requested exemption aligned with the broader goals of the U.S.  
19 Department of State's "Open Skies" initiative, which is aimed at allowing market forces  
20 to determine air transportation access and frequency, which could significantly  
21 contribute to Guam's economic recovery and growth by leveraging its strategic  
22 geographic location; and

23 **WHEREAS**, in 2009, the U.S. Department of Transportation recognized that  
24 Guam's location and isolation places the island at an economic disadvantage and  
25 granted Guam cargo exemption to air transportation regulations that had the potential  
26 to reduce the cost of air freighted goods to and from Guam. The air cargo exemption

1 allowed foreign carriers to move cargo from a foreign city to a U.S. point of entry, then  
2 to another; however, the U.S. Department of Transportation did not grant Guam  
3 passenger exemption; and

4 **WHEREAS**, in recent years, the U.S. Department of Transportation has granted  
5 exemptions to air cargo and air passenger flexibility, such as in the case of Puerto Rico.  
6 On June 7, 2019, the Puerto Rico Department of Economic Development and  
7 Commerce (DEDC) applied to the U.S. Department of Transportation (USDOT) to  
8 expand international cargo and passenger transfer activities at several Puerto Rican  
9 airports. On February 19, 2020, the USDOT issued an order for public comment on  
10 granting foreign air carriers a two (2)-year exemption to expand these activities. On  
11 April 29, 2020, the USDOT granted this exemption, allowing international cargo and  
12 passenger transfer services at the Mercedita Airport in Ponce, the Rafael Hernández  
13 Airport in Aguadilla, and the Luis Muñoz Marín Airport in Carolina. This exemption is  
14 significant because it makes Puerto Rico the only U.S. territory with such an exemption  
15 for both cargo and passenger transfers, unlike the state of Alaska, the Mariana Islands,  
16 and Guam, which had only previously been granted cargo exemptions; and

17 **WHEREAS**, the negative effects of the COVID-19 pandemic shutdown, which  
18 spanned over three (3) years from 2020 to 2022, devastated Guam's tourism industry,  
19 a vital component of the island's economy, causing significant financial losses and  
20 widespread unemployment across the island; and

21 **WHEREAS**, the aftermath of Super Typhoon Mawar in 2023 further  
22 exacerbated Guam's economic challenges, damaging infrastructure and delaying  
23 recovery efforts; and

24 **WHEREAS**, authorizing a temporary twenty-four (24) consecutive month  
25 exemption to expand air cargo and passenger flexibility at the A.B. Won Pat

1 International Airport Authority, Guam would provide a crucial boost to the island by  
2 increasing air traffic, promoting trade, and attracting new business opportunities; and

3 **WHEREAS**, the government of Guam deems an air cargo and passenger  
4 exemption essential for the economic recovery and long-term prosperity of Guam,  
5 aiding in the restoration of Guam’s tourism industry and the overall economic health in  
6 the aftermath of the COVID-19 pandemic and Super Typhoon Mawar; and

7 **WHEREAS**, *I Liheslaturan Guåhan* (the Guam Legislature) hereby strongly  
8 supports cargo and passenger flexibility at the A.B. Won Pat International Airport  
9 Authority, Guam with the enactment of the Pacific Island Flight Alternatives Act of  
10 2024 (PIFAA) and anticipates the benefits of increased air service, competition, reduced  
11 travel costs, improved regional connectivity, and strengthened economic ties with key  
12 Indo-Pacific allies; and

13 **WHEREAS**, the government of Guam remains committed to promoting the  
14 island’s economic development and maximizing all its economic sectors, components,  
15 and opportunities to ensure a stable, sustainable, and growing economy to benefit all  
16 the residents of Guam and places a high priority on requesting a two (2)-year term to  
17 all foreign air carriers that currently hold, or that may subsequently receive, effective  
18 U.S. Department authority to engage in scheduled foreign air transportation of cargo  
19 (whether under authorizations permitting combination or all-cargo services), an  
20 exemption from 49 U.S.C. § 41301 to engage in the following cargo transfer activities  
21 at the A.B. Won Pat International Airport Authority, Guam, and to all foreign air  
22 carriers that currently hold, or that may subsequently receive, effective U.S. Department  
23 authority to engage in the foreign air transportation of passengers, an exemption from  
24 49 U.S.C. § 41301 to engage in the following transfer activities at the A.B. Won Pat  
25 International Airport Authority, Guam:

1           (1) to transfer cargo and passengers from any of their aircraft to any of  
2 their other aircraft; provided, that both aircraft are operating to/from a point in  
3 the carrier's homeland; and

4           (2) to make changes at the A.B. Won Pat International Airport  
5 Authority, Guam in the type or number of aircraft used to transport cargo and  
6 passengers; provided, that in the outbound direction, the transportation beyond  
7 Guam is a continuation of the transportation from the carrier's homeland to  
8 Guam, and in the inbound direction, the transportation to the carrier's homeland  
9 is a continuation of the transportation from beyond Guam; and

10          (3) to commingle cargo and passenger traffic moving in foreign air  
11 transportation with cargo and passenger traffic not moving in foreign air  
12 transportation; and

13          (4) to discharge cargo and passenger traffic at the A.B. Won Pat  
14 International Airport Authority, Guam for transfer to a U.S. carrier for onward  
15 carriage to a final destination in the United States or in a third country, and to  
16 uplift from Guam and passenger traffic transferred from a U.S. carrier that was  
17 transported by that carrier to Guam from a point of origin elsewhere in the United  
18 States or in a third country; and

19          (5) to discharge passengers and cargo at the A.B. Won Pat International  
20 Airport Authority, Guam for transfer to another foreign carrier for onward  
21 carriage to a final destination in a third country, and to uplift from Guam  
22 international airport passengers and cargo transferred from another foreign  
23 carrier that was transported by that carrier to Guam from a point of origin in a  
24 third country; now therefore, be it

25         **RESOLVED**, that *I Mina'trentai Siette Na Liheslaturan Guåhan* (the 37<sup>th</sup> Guam  
26 Legislature) does hereby, on behalf of the people of Guam, request the United States

1 Secretary of Transportation to authorize a temporary twenty-four (24) consecutive  
2 month exemption to expand cargo and passenger flexibility at the A.B. Won Pat  
3 International Airport Authority, Guam and allow certain foreign air carriers to stop in  
4 Guam in the course of transportation of passengers or cargo in either direction between  
5 a place in the United States and a place outside the United States, and for other purposes;  
6 and be it further

7 **RESOLVED**, that the Speaker certify, and the Legislative Secretary attest to, the  
8 adoption hereof, and that copies of the same be thereafter transmitted to the Honorable  
9 Joseph R. Biden, Jr., President of the United States; the Honorable Mike Johnson,  
10 Speaker of the House of Representatives; the Honorable Chuck Schumer, Senate  
11 Majority Leader; the Honorable Alejandro Mayorkas, United States Secretary of  
12 Homeland Security; the Honorable Pete Buttigieg, United States Secretary of  
13 Transportation; the Honorable Sam Graves, Chairman of the House Committee on  
14 Transportation and Infrastructure; the Honorable James C. Moylan, Guam Delegate to  
15 the U.S. House of Representatives; and to the Honorable Lourdes A. Leon Guerrero, *I*  
16 *Maga'hågan Guåhan.*

**DULY AND REGULARLY ADOPTED BY *I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN* ON THE 7<sup>TH</sup> DAY OF OCTOBER 2024.**

  
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**THERESE M. TERLAJE**  
Speaker

  
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**AMANDA L. SHELTON**  
Legislative Secretary