

**I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÁHAN
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)	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	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.							

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

Resolution No. 447-37 (COR)

Introduced by:

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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 THE COMMITTEE ON RULES OF I**
2 ***MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN:***

3 **WHEREAS,** limited air competition has made flights from Guam to the
4 Commonwealth of Northern Mariana Islands (CNMI) or to Hawaii or to the U.S.
5 mainland, exceedingly expensive, imposing a significant financial burden on residents,

1 visitors, and military personnel stationed on the island, ultimately restricting their
2 ability to travel affordably and frequently; and

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

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

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

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

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

21 **WHEREAS**, in 2002, island leaders, including the Antonio B. Won Pat Guam
22 International Airport Authority Board of Directors, the 27th Guam Legislature, and the
23 Governor of Guam, united in support of petitions for exemptions that would allow
24 Guam to better utilize its geographic location for economic advantage, highlighting the
25 potential for economic benefits from increased U.S. and foreign air carrier activity; and

26 **WHEREAS**, the U.S. Department of Transportation has previously granted
27 exemptions from domestic air service regulations to international airports in Alaska and

1 Hawaii to promote increased U.S. and foreign air carrier activity, recognizing the unique
2 needs of these regions; and

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

14 **WHEREAS**, the requested exemption aligned with the broader goals of the U.S.
15 Department of State’s “Open Skies” initiative, aimed at allowing market forces to
16 determine air transportation access and frequency, which could significantly contribute
17 to Guam’s economic recovery and growth by leveraging its strategic geographic
18 location; and

19 **WHEREAS**, in 2009, the Department of Transportation recognized that Guam’s
20 locality and isolation places the island at an economic disadvantage and granted Guam
21 cargo exemption to air transportation regulations that had the potential to reduce the
22 cost of air freighted goods to and from Guam. The air cargo exemption allowed foreign
23 carriers to move cargo from a foreign city to a U.S. point of entry, then to another.
24 However, the Department of Transportation did not grant Guam passenger exemption;
25 and

26 **WHEREAS**, in recent years, the Department of Transportation has granted
27 exemptions to air cargo and air passenger flexibility, such as in the case of Puerto Rico.

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

12 **WHEREAS**, the negative effects of the COVID-19 pandemic shutdown, which
13 spanned over three years from 2020 to 2022, devastated Guam’s tourism industry, a
14 vital component of the island’s economy, causing significant financial losses and
15 widespread unemployment across the island; and

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

19 **WHEREAS**, authorizing a temporary twenty-four (24) consecutive month
20 exemption to expand air cargo and passenger flexibility at the A.B. Won Pat
21 International Airport Authority, Guam, would provide a crucial boost to the island by
22 increasing air traffic, promoting trade, and attracting new business opportunities; and

23 **WHEREAS**, the Government of Guam deems an air cargo and passenger
24 exemption essential for the economic recovery and long-term prosperity of Guam,
25 aiding in the restoration of Guam’s tourism industry and overall economic health in the
26 aftermath of the COVID-19 pandemic and Super Typhoon Mawar; and

1 **WHEREAS**, *I Liheslaturan Guåhan* hereby strongly supports cargo and
2 passenger flexibility at the A.B. Won Pat International Airport Authority Guam with
3 the enactment of the Pacific Island Flight Alternatives Act of 2024 (PIFAA) and
4 anticipates the benefits of increased air service, competition, reduced travel costs,
5 improved regional connectivity, and strengthened economic ties with key Indo-Pacific
6 allies; now therefore, be it

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

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

23 (2) to make changes, at the A.B. Won Pat International Airport Authority, in the
24 type or number of aircraft used to transport cargo and passengers, provided that in the
25 outbound direction, the transportation beyond Guam is a continuation of the
26 transportation from the carrier’s homeland to Guam, and in the inbound direction, the

1 transportation to the carrier's homeland is a continuation of the transportation from
2 behind Guam; and

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

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

10 (5) to discharge passengers and cargo at the A.B. Won Pat International Airport
11 Authority for transfer to another foreign carrier for onward carriage to a final destination
12 in a third country, and to uplift from Guam international airport passengers and cargo
13 transferred from another foreign carrier that was transported by that carrier to Guam
14 from a point of origin in a third country; and

15 **RESOLVED**, that the Committee on Rules of *I Mina'trentai Siette Na*
16 *Lihselaturan Guåhan* does hereby, on behalf of the people of Guam, requests the United
17 States Secretary of Transportation to authorize a temporary twenty-four (24)
18 consecutive month exemption to expand cargo and passenger flexibility at the A.B.
19 Won Pat International Airport Authority, Guam and allow certain foreign air carriers to
20 stop in Guam in the course of transportation of passengers or cargo in either direction
21 between a place in the United States and a place outside the United States, and for other
22 purposes; and be it further

23 **RESOLVED**, that the Speaker and the Chairperson of the Committee on Rules
24 certify, and the Legislative Secretary attest to, the adoption hereof, and that copies of
25 the same be thereafter transmitted to the Honorable Joseph R. Biden, Jr., President of
26 the United States; the Honorable Mike Johnson, Speaker of the House of
27 Representatives; the Honorable Chuck Schumer, Senate Majority Leader; the

1 Honorable Alejandro Mayorkas, Secretary of Homeland Security; the Honorable Pete
2 Buttigieg, United States Secretary of Transportation; the Honorable Sam Graves,
3 Chairman of the House Committee on Transportation and Infrastructure; the Honorable
4 James C. Moylan, Guam’s Delegate to Congress; and to the Honorable Lourdes A. Leon
5 Guerrero, *I Maga'hågan Guåhan*.

**DULY AND REGULARLY ADOPTED BY THE COMMITTEE ON RULES OF
I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN ON THE DAY
OF MONTH 2024.**

THERESE M. TERLAJE
Speaker

CHRIS BARNETT
Chairperson, Committee on Rules

AMANDA L. SHELTON
Legislative Secretary