

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session

Resolution No. 486-31 (COR)

As amended on the Floor.

Introduced by:

T. R. Muña Barnes
B. J.F. Cruz
Judith T. Won Pat, Ed.D.

T. C. Ada
V. A. Ada
F. F. Blas, Jr.
Chris M. Dueñas
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Sam A. Mabini, Ph.D.
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Dennis G. Rodriguez, Jr.
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Aline A. Yamashita, Ph.D.

Relative to voicing *I Liheslaturan Guåhan's* (the Guam Legislature's) continued support for the full implementation of U.S. Public Law 110-229; and to requesting that the Honorable Janet Napolitano, U.S. Secretary of Homeland Security, provide for the issuance of a China Visa Waiver Program through her parole authority, and the issuance of a broader final rule for the Marianas Visa Waiver Program.

- 1 **BE IT RESOLVED BY *I MINA'TRENTAI UNU NA LIHESLATURAN***
2 ***GUÅHAN*:**
3 **WHEREAS, the U.S. Congress passed Public Law 110-229, "The Marianas**
4 **Visa Waiver Program," to sustain the growth of the region's tourism economy; and**

1 **WHEREAS**, Guam's tourism industry supports over eighteen thousand
2 (18,000) jobs and over thirty percent (30%) of Guam's economic base; and

3 **WHEREAS**, Japanese visitors account for approximately seventy percent
4 (70%) of visitor travel to Guam; and

5 **WHEREAS**, recent natural disasters in the form of a powerful earthquake, a
6 massive tsunami, and the potential for widespread radiation exposure, have continued
7 to test the resilience and resolve of the Japanese people and their economy; and

8 **WHEREAS**, these disasters have understandably impacted the willingness of
9 the Japanese economy and its people to engage in outbound recreational travel; and

10 **WHEREAS**, industry experts have estimated that Japanese visitor arrivals to
11 Guam may decrease by fifteen to thirty percent (15% - 30%) in the short-term; and

12 **WHEREAS**, policy leaders in Guam and Washington must take strong,
13 proactive steps to avert an economic downturn; and

14 **WHEREAS**, in December of 2011, the Department of Homeland Security
15 granted visa parole authority for Russian visitors to come to Guam; and

16 **WHEREAS**, stakeholders spanning both our local community and the federal
17 government continue to work closely with agencies within the Obama administration
18 to realize a visa waiver program that will also allow for regularly scheduled airlifts
19 from the People's Republic of China (PRC) to Guam; and

20 **WHEREAS**, absent a full China visa waiver for Guam, the use of parole
21 authority with a reduced notification period, linked with effective pre-screening of
22 PRC visitors, may be a viable option; and

23 **WHEREAS**, under a model currently used by the Australian government, PRC
24 visitors are required to undergo a pre-clearing process prior to departure, potentially
25 settling the national security issues; and

1 **WHEREAS**, Guam's inclusion in a China Visa Waiver program will provide
2 our island with the economic stability required for continued growth and expansion of
3 our current tourism market; and

4 **WHEREAS**, our neighbors in the Commonwealth of the Northern Mariana
5 Islands (CNMI) have already been granted parole authority, allowing the government
6 of the Northern Marianas to presently receive visitors from China; and

7 **WHEREAS**, this parole authority was granted to provide the CNMI with a
8 measure of economic stability in difficult financial times; and

9 **WHEREAS**, Guam must seek inclusion in a China Visa Waiver Program to
10 access an estimated 1.3 Billion Dollars in tourism revenues; and

11 **WHEREAS**, the U.S. Congress, through its original construction of the "Guam
12 Only Visa Waiver Program," recognized conditions unique to Guam; and

13 **WHEREAS**, in recognition of these unique conditions, the U.S. Congress
14 authorized the "broad application of the mainland program" when considering the
15 criteria used to add countries to Guam's visa waiver list; and

16 **WHEREAS**, a country under the former "Guam Only Visa Waiver Program"
17 would be considered for addition to Guam's visa waiver program, as long as that
18 country had a U.S. visa denial rate of sixteen and nine tenths percent (16.9%), or
19 lower; and

20 **WHEREAS**, the aforementioned allowance was not continued under the
21 existing Marianas Visa Waiver Program, and that shortcoming may be mitigated
22 through the use of parole authority, thereby allowing a China Visa Waiver Program
23 for Guam; and

1 **WHEREAS**, each military base on Guam has its own perimeter and internal
2 security, thereby providing a protection to external threats; security is not limited to
3 Guam's A.B. Won Pat International Airport, but also at each military facility; and

4 **WHEREAS**, visitors from China and other areas that may be of concern to the
5 Department of Homeland Security already have access to the island by way of regular
6 visas and the temporary foreign worker program, in which U.S. employers are able to
7 hire foreign workers on a temporary or permanent basis to fill jobs in the United
8 States or its jurisdictions, as will be the case in support of the impending military
9 buildup on Guam; and

10 **WHEREAS**, the U.S. Secretary of Homeland Security has granted the CNMI a
11 China Russia Visa Waiver Program by parole authority, and in so doing, has
12 demonstrated that security concerns regarding the presence of Chinese or Russian
13 nationals on U.S. soil have already been adequately resolved; and

14 **WHEREAS**, the Congressional intent of Public Law 110-229 must be fully
15 recognized as the existing mandate of the land and should therefore be fully executed;
16 now therefore, be it

17 **RESOLVED**, that *I Mina'Trentai Unu Na Liheslaturan Guåhan* does hereby,
18 on behalf of the people of Guam, petition the Honorable Janet Napolitano, U.S.
19 Secretary of Homeland Security, to immediately exercise her parole authority and
20 permit Guam's inclusion in a China Visa Waiver Program, thereby recognizing the
21 Congressional intent of Public Law 110-229; and be it further

22 **RESOLVED**, that the Speaker certify, and the Legislative Secretary attest to,
23 the adoption hereof, and that copies of the same be thereafter transmitted to the
24 Honorable Janet Napolitano, U.S. Secretary of Homeland Security; to the Honorable
25 Madeleine Z. Bordallo, Member of Congress - Guam; to the Honorable Joe Wilson,

- 1 Member of Congress - South Carolina; and to the Honorable Edward J.B. Calvo, I
- 2 Maga'låhen Guåhan.

DULY AND REGULARLY ADOPTED BY *I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN* ON THIS 26TH DAY OF SEPTEMBER 2012.



JUDITH T. WON PAT, Ed.D.
Speaker



TINA ROSE MUÑA BARNES
Legislative Secretary