

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

2012 AUG 16 AM 9:04
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Resolution No. 486-31(corr)

Introduced By:

T.R. Muña Barnes
B.J.F. Cruz

Relative to voicing *I Liheslaturan Guåhan's* (The Guam Legislature's) continued support for the full implementation of Public Law 110-229; and requesting that the US Secretary of Homeland Security, the Honorable Janet Napolitano, 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.

BE IT RESOLVED BY THE COMMITTEE ON RULES OF *I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN*:

WHEREAS, the US Congress passed Public Law 110-229, "The Marianas Visa Waiver Program" to sustain the growth of the region's tourism economy; and

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

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

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

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

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

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

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

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

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

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

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

24 **WHEREAS**, our neighbors in the CNMI have already been granted parole
25 authority, allowing the government of the Northern Marianas to presently receive
26 visitors from China; and

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

3 **WHEREAS**, Guam must seek inclusion in a China Visa Waiver Program to
4 access an estimated \$1.3 billion in tourism revenues; and

5 **WHEREAS**, the US Congress, through its original construction of the
6 "Guam only Visa Waiver Program" recognized conditions unique to Guam; and

7 **WHEREAS**, in recognition of these unique conditions, Congress authorized
8 the "broad application of the mainland program" when considering the criteria used
9 to add countries to Guam's Visa waiver list; and

10 **WHEREAS**, a country under the former "Guam Only Visa Waiver
11 Program" would be considered for addition to Guam's waiver program as long as
12 that country had a US visa denial rate of 16.9% or lower; and

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

17 **WHEREAS**, each military base in Guam has its own perimeter and internal
18 security, thereby providing a protection to external threats, security is not limited
19 to the Guam International Airport, but also at each military facility; and

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

26 **WHEREAS**, the Secretary of Homeland Security has granted the CNMI a
27 China Russia Visa Waiver Program by parole authority, and in so doing, has

1 demonstrated that security concerns regarding the presence of Chinese or Russian
2 nationals on U.S. soil has already been adequately resolved; and

3 **WHEREAS**, the congressional intent of Public Law 110-229 must be fully
4 recognized as the existing mandate of the land and should therefore be fully
5 executed; now, therefore, be it

6 **RESOLVED**, that the Committee on Rules of *I Mina' Trentai Unu Na*
7 *Liheslaturan Guåhan* does hereby, on behalf of the people of Guam, petition the
8 Secretary of Homeland Security, the Honorable Janet Napolitano, to immediately
9 exercise her parole authority and permit Guam's inclusion in a China Visa Waiver
10 Program thereby recognizing the congressional intent of Public Law 110-229; and
11 be it further

12 **RESOLVED**, that the Speaker and the Chairperson of the Committee on
13 Rules certify, and the Legislative Secretary attest to, the adoption hereof, and that
14 copies of the same be thereafter transmitted to the Honorable Janet Napolitano, the
15 US Secretary of Homeland Security; the Honorable Madeleine Z. Bordallo,
16 Member of Congress - Guam; to the Honorable Joe Wilson, Member of Congress -
17 South Carolina; and to the Honorable Eddie B. Calvo, *I Maga'låhen Guåhan*.

**DULY AND REGULARLY ADOPTED BY THE COMMITTEE ON RULES
OF I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN ON THIS ____
DAY OF _____ 2012.**

JUDITH T. WON PAT, Ed.D.
Speaker

RORY J. RESPICIO
Chairperson, Committee on Rules

TINA ROSE MUÑA BARNES
Legislative Secretary