

I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
310-38 (COR)	Therese M. Terlaje	AN ACT TO <i>ADD</i> A NEW §73141.1 RELATIVE TO ESTABLISHING MINIMUM HIGH-SECURITY SEAL REQUIREMENTS FOR CONTAINERS ARRIVING IN GUAM TO IMPROVE CARGO SECURITY AND PREVENT ILLEGAL DRUGS AND CONTRABAND FROM ENTERING GUAM.	4/23/26 1:01 p.m. ^5/4/26 3:54 p.m.						

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2026 (SECOND) Regular Session

Bill No. 310-38 (COR)

Introduced by:

Therese M. Terlaje 

AN ACT TO ADD A NEW §73141.1 TO CHAPTER 73, TITLE 5 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING MINIMUM HIGH-SECURITY SEAL REQUIREMENTS FOR CONTAINERS ARRIVING IN GUAM TO IMPROVE CARGO SECURITY AND PREVENT ILLEGAL DRUGS AND CONTRABAND FROM ENTERING GUAM.

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Findings and Intent.** *I Liheslaturan Guåhan* finds that the
3 Customs and Quarantine Agency reported 102 seal discrepancies in 2024, with 57
4 counts of missing seals, 41 broken seals, two improper seals and two seals on the
5 wrong door. In 2025, they also reported a total of 91 seal discrepancies with 53
6 counts of missing seals, 30 broken seals, one damaged seal, four improper seals, two
7 unsecured seals, and sone seal on the wrong door. These numbers highlight ongoing
8 vulnerabilities in the cargo inspection process and raise concerns about the integrity
9 of containers transiting through or imported to Guam.

10 *I Liheslaturan Guåhan* finds that Guam does not impose a minimum standard
11 of seals to secure cargo. The Customs and Quarantine Agency (CQA) reported that
12 shippers use a variety of seal types, including aluminum metal straps that are
13 susceptible to breakage during transit, increasing the risk of compromised cargo
14 integrity.

1 *I Liheslaturan Guåhan* finds that 6 U.S.C. § 944, as amended by the
2 Implementing Recommendations of the 9/11 Commission Act of 2007, authorized
3 the establishment of minimum standards and procedures for securing containers in
4 transit to the United States. The law further provided that, in the absence of
5 implementing regulations, containers in transit to the United States shall be required
6 to be sealed with a high-security seal meeting the International Organization for
7 Standardization Publicly Available Specification 17712 (ISO/PAS 17712) standard
8 for sealing containers.

9 *I Liheslaturan Guåhan* finds that that “ISO/PAS 17712 requires that container
10 freight seals meet or exceed certain standards for strength and durability so as to
11 prevent accidental breakage, early deterioration (due to weather conditions,
12 chemical action, etc.) or undetectable tampering under normal usage”. Implementing
13 this standard for cargo transiting to or imported into Guam will strengthen seal
14 integrity, reduce the occurrence of seal discrepancies, and lower the risk of illegal
15 drugs being introduced into Guam.

16 Therefore, it is the intent of *I Liheslaturan Guåhan* to establish a minimum
17 standard for high-security seals for all cargo transiting through or imported into
18 Guam, consistent with ISO/PAS 17712 or any successor international standard, to
19 ensure the integrity of containers transiting through or imported to Guam, eliminate
20 avoidable seal discrepancies, strengthen accountability in the inspection process, and
21 prevent illegal drugs and other contraband from entering Guam.

22 **Section 2.** §73141.1 of Chapter 73, Title 5 GCA is hereby added to read:

23 **“§73141.1 Minimum Seal Standards.**

24 (a) All loaded containers, including foreign cargo remaining on board
25 (FROB), arriving by vessel at a port of entry in Guam are required to be sealed with
26 a seal meeting the ISO/PAS 17712 standard or any successor international standard
27 recognized by the U.S. Customs and Border Protection.

1 (b) Any container arriving in Guam without a seal, or with a seal that does not
2 meet the standard required under this Section, shall be reported immediately to the
3 Customs and Quarantine Agency and shall be subject to inspection and enforcement
4 action.

5 (c) Any party responsible, including but not limited to the carrier, operator,
6 consignee, or agent, who fails to comply with the requirements of this Section shall
7 be subject to the following administrative penalties:

8 (1) For a first violation, a civil fine of not less than Twenty-Five
9 Thousand Dollars (\$25,000);

10 (2) For a second violation within a five (5) year period a civil fine of
11 not less than Fifty Thousand Dollars (\$50,000) and additional administrative
12 sanctions as determined by the Director of Customs.

13 (3) For a third or subsequent violation within a five (5) year period, a
14 civil fine of One Hundred Thousand Dollars (\$100,000) and suspension or
15 revocation of any applicable permits, licenses, or authorization to conduct
16 cargo operations in Guam, as determined by the Director of Customs and
17 consistent with applicable law.

18 (d) The Director of the Customs and Quarantine Agency shall promulgate
19 rules and regulations necessary to implement and enforce this Section within
20 90 days of enactment of this Act.

21 **Section 3. Severability.** If any of the provisions of this Act or the application
22 thereof to any person or circumstance are held invalid, such invalidity shall not affect
23 any other provision or application of this Act, which can be given effect without the
24 invalid provision or application, and to this end the provisions of this Act are
25 severable.

26 **Section 4. Effective Date.** This Act shall be effective on January 1, 2027.