

*I Mina'trentai Ocho Na Liheslaturan Guåhan*  
**BILL STATUS**

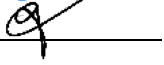
BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
338-38 (COR)	Telo T. Taitague Jesse A. Lujan	AN ACT TO ADD A NEW § 70.470 TO ARTICLE 4 OF CHAPTER 70, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING THE UNAUTHORIZED OPERATION OF UNMANNED AIRCRAFT OVER DESIGNATED PORT AUTHORITY OF GUAM PROTECTED CRITICAL INFRASTRUCTURE FACILITIES.	6/30/26 9:59 a.m.						

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

**Bill No. 338-38 (COR)**

Introduced by:

Telo T. Taitague 

Jesse A. Lujan 

**AN ACT TO *ADD* A NEW § 70.470 TO ARTICLE 4 OF  
CHAPTER 70, TITLE 9, GUAM CODE ANNOTATED,  
RELATIVE TO PROHIBITING THE UNAUTHORIZED  
OPERATION OF UNMANNED AIRCRAFT OVER  
DESIGNATED PORT AUTHORITY OF GUAM  
PROTECTED CRITICAL INFRASTRUCTURE  
FACILITIES.**

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that the Port Authority of Guam is a critical component of Guam's transportation, public safety, emergency response, and supply chain infrastructure. As Guam's principal commercial seaport, the Port supports the movement of food, fuel, medical supplies, construction materials, and other essential cargo necessary to sustain the daily needs of the people of Guam.

*I Liheslaturan Guåhan* further finds that unauthorized unmanned aircraft operations over or near Port facilities may present serious risks, including disruption of cargo operations, interference with security and communications systems, unauthorized surveillance, delivery of harmful payloads, damage to equipment, and threats to public safety, homeland security, and emergency response capabilities.

It is the intent of *I Liheslaturan Guåhan* to establish a clear and limited prohibition against unauthorized unmanned aircraft operations over designated Port Authority of Guam facilities, while allowing appropriate exemptions for law

1 enforcement, emergency response, the United States Government, Port-authorized  
2 operations, and other lawful operations permitted under this Act.

3 It is further the intent of *I Liheslaturan Guåhan* to ensure that restricted areas  
4 are publicly identified through maps, website notices, and signage, while protecting  
5 sensitive security, emergency response, cybersecurity, and infrastructure protection  
6 information from public disclosure when necessary to preserve the safety and  
7 security of Port operations.

8 Finally, it is the intent of *I Liheslaturan Guåhan* to support coordination with  
9 the Federal Aviation Administration, federal partners, and other appropriate entities  
10 to improve public awareness, flight planning, airspace safety, and the protection of  
11 Guam’s critical maritime infrastructure to the extent permitted by federal law.

12 **Section 2.** A new § 70.470 is *added* to Article 4 of Chapter 70, Title 9,  
13 Guam Code Annotated, to read as follows:

14 **“ § 70.470. Operation of Unmanned Aircrafts Over Critical**  
15 **Infrastructure Facilities.**

16 **(a) Definitions.**

17 (1) “Protected Critical Infrastructure Facility” or PCIF means a  
18 facility owned, operated, managed, or controlled by the Port Authority of  
19 Guam that has been designated and published pursuant to this Section and  
20 that constitutes critical infrastructure whose disruption could impair the  
21 provision of maritime transportation services, threaten public health or public  
22 safety, or adversely affect homeland security or national security, or  
23 emergency response capabilities. Protected Critical Infrastructure Facilities  
24 shall be limited to:

25 (A) Commercial Port terminals;

26 (B) Container yards, cargo handling facilities, and  
27 intermodal freight facilities;

1                   (C) Port operations, dispatch, communications, security,  
2                   and emergency management centers;

3                   (D) Wharves, piers, berths, fuel transfer facilities, and  
4                   maritime support infrastructure under the jurisdiction of the Port  
5                   Authority of Guam;

6                   (E) Other Port Authority facilities specifically designated  
7                   and published pursuant to subsection (b)

8                   (2) “Restricted Critical Infrastructure Area” or RCIA means the  
9                   real property boundaries of a Protected Critical Infrastructure Facility as  
10                   depicted on the current published map maintained pursuant to  
11                   subsection (b); and the airspace directly above such property boundaries  
12                   from the surface to four hundred (400) feet above ground level;  
13                   provided, however, that for any Protected Critical Infrastructure Facility  
14                   containing a structure that is three hundred (300) feet or greater in height  
15                   above ground level, the Restricted Critical Infrastructure Area shall for  
16                   that structure, extend to seven hundred (700) feet above ground level,  
17                   inclusive of the initial four hundred (400) feet above ground level.

18                   (3) “Payload” means any instrument, mechanism, equipment,  
19                   part, apparatus, object, or accessory, including communications  
20                   equipment, data-collection devices, or physical cargo, that is installed  
21                   in, affixed to, or carried by an unmanned aircraft, and is not used of  
22                   intended to be used in the direct propulsion, flight control, or basic  
23                   safe operation of the aircraft.

24                   **(b) Designation and Publication of Restricted Critical Infrastructure**  
25                   **Areas.**

26                   (1) The Port Authority of Guam may designate facilities under its  
27                   ownership, operation, management, or control as Protected Critical

1 Infrastructure Facilities upon a written determination by the General  
2 Manager through the concurrence by its Board of Directors through a duly  
3 adopted board resolution that the facility constitutes critical infrastructure  
4 and that unauthorized unmanned aircraft operations present a credible risk  
5 of:

6 (A) disruption of maritime transportation services;

7 (B) disruption of cargo operations, logistics operations, or  
8 critical supply chain functions;

9 (C) damage to Port infrastructure, interference of security  
10 systems (CCTV, Radar Intrusion Systems), VHF-UHF radio  
11 communications systems;

12 (D) Surveillance and Espionage beyond Visual Line of  
13 Sight (BVLOS);

14 (E) Cyber-Physical Manipulation (Interception,  
15 disruption, hacking of local WI-FI, GPS, and communication  
16 networks);

17 (F) threats to public health and public safety;

18 (G) disruption of emergency response capabilities;

19 (H) homeland security risks; or

20 (G) national security risk.

21 (2) The Port Authority of Guam shall maintain and publish on its  
22 website a current map of all Protected Critical Infrastructure Facilities  
23 designated pursuant to this Section. The map shall identify the location and  
24 boundaries of each designated facility sufficient to provide notice to the public  
25 of the applicable Restricted Critical Infrastructure Area and the effective date  
26 of designation.

1           (3) The Port Authority of Guam shall include on the published map  
2 or accompanying publication the date of the most recent update and shall  
3 maintain an archive of all additions and removals of designated facilities.  
4 Within ten (10) business days of adding or removing a designated facility, the  
5 Port Authority of Guam shall publish notice of the update on its website and  
6 through other means reasonably calculated to inform the public.

7           (4) Notwithstanding any other provision of law, vulnerability  
8 assessments, threat assessments, security plans, emergency response plans,  
9 cybersecurity assessments, infrastructure protection studies, designation  
10 memoranda, and other documents prepared or maintained for the purpose of  
11 designating, protecting, or securing a Protected Critical Infrastructure  
12 Facility shall be confidential and exempt from public disclosure to the fullest  
13 extent permitted by law.

14           (5) Nothing in this Section shall be construed to require the Port  
15 Authority of Guam to disclose information that could reasonably be expected  
16 to compromise the security, resiliency, or operation of a Protected Critical  
17 Infrastructure Facility.

18           (6) The designation, addition, modification, or removal of a  
19 Protected Critical Infrastructure Facility from the published map shall not  
20 require legislative action.

21           (7) The Port Authority of Guam shall review each Protected Critical  
22 Infrastructure Facility designation at least every five (5) years to determine  
23 whether the designation remains necessary to protect Port operations, public  
24 safety, public health, environmental resources, homeland security, or national  
25 security interests.

26           (8) The Port Authority of Guam shall also post and maintain signs at  
27 reasonable and conspicuous locations at each designated facility stating that

1 unauthorized unmanned aircraft operations are prohibited by law and  
2 providing information on where the public may access the current map of  
3 designated facilities and restricted areas.

4 **(c) Unlawful Use of Unmanned Aircraft.** The unlawful use of unmanned  
5 aircrafts as defined in § 70.460 of this Chapter shall be prohibited within Restricted  
6 Critical Infrastructure Areas established pursuant to this section.

7 **(d) Exemptions.** This Section shall not apply to the following:

8 (1) A law enforcement agency, emergency medical service agency,  
9 hazardous materials response team, disaster management agency, or other  
10 emergency management agency for the purpose of incident command, area  
11 reconnaissance, personnel and equipment deployment monitoring, training, or  
12 related purpose for any lawful purpose in the Territory of Guam;

13 (2) An unmanned aircraft operated by the United States Government,  
14 or a person acting pursuant to a contract with the United States Government,  
15 in the performance of official governmental duties;

16 (3) The Port Authority of Guam or an authorized contractor or agent  
17 acting under the express written permission of the Port management;

18 (4) An operator of an unmanned aircraft conducting commercial  
19 operations within a Restricted Critical Infrastructure Area, provided that:

20 (A) The operator complies with all applicable federal laws  
21 and regulations governing unmanned aircraft operations;

22 (B) The unmanned aircraft is registered with the Federal  
23 Aviation Administration when registration is required by federal  
24 law;

25 (C) The unmanned aircraft is equipped with Remote  
26 Identification capability when required by federal law;

1           (D) The operator possesses any license, certificate,  
2           waiver, authorization, or approval required by the Federal  
3           Aviation Agency (FAA) for the operation being conducted; and

4           (E) The operator complies with the notification  
5           requirements of § 70.470 (e) of this Chapter.

6           (5) The lawful owner, occupant, lessee, or operator of property  
7           comprising a Restricted Critical Infrastructure Area, or a person acting with  
8           the prior written consent of such owner, occupant, lessee, or operator.

9           **(e) Notification Requirements for Commercial Operations in**  
10          **Restricted Critical Infrastructure Areas.**

11           (1) The operator of an unmanned aircraft conducting operations  
12           within a Restricted Critical Infrastructure Areas shall provide no less than a  
13           forty-eight (48) hour notice to the Port Authority of Guam; and

14           (2) Notification shall include:

15                   (i) the name, mailing address, electronic mail  
16                   address, and telephone number of the person providing notice;

17                   (ii) the name and telephone number of the  
18                   unmanned aircraft operator responsible for the flight;

19                   (iii) the applicable FAA certificate, authorization,  
20                   waiver, permit, or registration number;

21                   (iv) the Remote Identification (Remote ID) serial  
22                   number, if applicable or required by federal law;

23                   (v) the registration number of the unmanned  
24                   aircraft, if applicable;

25                   (vi) the date, estimated start and end time and  
26                   purpose of the operation;

1                    (vii) the route of flight and area of operation within  
2                    the Restricted Critical Infrastructure Area; and

3                    (viii) the number of unmanned aircraft to operate within  
4                    the Restricted Critical Infrastructure Area; and

5                    (3) Notification pursuant to this subsection shall be for situational  
6                    awareness and security purposes only and shall not be construed as granting  
7                    the Port Authority of Guam, the authority to approve, deny, restrict  
8                    otherwise lawful operation.; and

9                    (4) Nothing in this subsection shall prohibit the Port Authority  
10                   of Guam from coordinating with the operator regarding safety, emergency  
11                   conditions, ongoing utility operations, or facility security considerations; and

12                   (5) The notification requirements of this subsection may be  
13                   waived when the operation is necessary to respond to an emergency,  
14                   natural disaster, infrastructure failure, or other circumstance requiring  
15                   immediate action to protect life, property, or critical utility operations.

16                   **(f) Unmanned Aircraft Detection and Monitoring.**

17                   (1) The Port Authority of Guam shall establish and maintain reasonable  
18                   security measures to detect, monitor, document and respond to unauthorized  
19                   unmanned aircraft operations occurring within or affecting Protected Critical  
20                   Infrastructure Facilities and Restricted Critical Infrastructure Areas. Such  
21                   measures may include, but are not limited to:

22                    (A) Remote Identification (Remote ID) monitoring  
23                    systems;

24                    (B) Video Surveillance systems;

25                    (C) Facility Security monitoring systems;

26                    (D) Incident reporting and documentation procedures; and

1                   (E) Coordination and information sharing with federal,  
2                   territorial, and local law enforcement or regulatory agencies.

3                   (2) the Port Authority of Guam shall utilize available monitoring and  
4                   security technologies, to the extent practicable to distinguish authorized  
5                   unmanned aircraft operations from unauthorized operations and to support  
6                   enforcement of this Act.

7                   (3) The Port Authority of Guam is authorized to acquire, operate, and  
8                   maintain unmanned aircraft detection, identification, monitoring, navigation,  
9                   traffic management, airspace awareness, and other emerging aviation security  
10                   technologies as permitted under federal law for the protection of Protected  
11                   Critical Infrastructure Facilities.

12                   (4) The Port Authority of Guam is authorized to coordinate with the  
13                   Federal Aviation Administration, the United States Department of Defense,  
14                   unmanned aircraft manufacturers, and other appropriate governmental or  
15                   private entities to facilitate the voluntary incorporation of Protected Critical  
16                   Infrastructure Facilities and Restricted Critical Infrastructure Areas into  
17                   electronic mapping, navigation, flight planning, and other emerging  
18                   unmanned aircraft safety technologies to the extent permitted by federal law.

19                   **(g) Offenses.**

20                   (1) A person commits the offense of unlawful use of an unmanned  
21                   aircraft at a Protected Critical Infrastructure Facility if the person  
22                   intentionally or knowingly:

23                   (A) Uses an unmanned aircraft within a Restricted Critical  
24                   Infrastructure Area with the intent to surveil, monitor, collect  
25                   intelligence regarding, photograph, electronically record, gather  
26                   evidence, collect data concerning, or otherwise obtain information

1 regarding a at a Protected Critical Infrastructure Facility without  
2 written consent of the owner, or the owner's designee;

3 (B) Intentionally hovers, loiters, circles, or otherwise  
4 maintains an unmanned aircraft in a manner reasonably indicating  
5 surveillance of, intelligence gathering regarding, or preparation to  
6 commit an act prohibited by this Section against a Protected Critical  
7 Infrastructure Facility, without lawful authority or written  
8 authorization from the owner or the owner's designee.

9 (C) Delivers or attempts to deliver payloads to a Protected  
10 Critical Infrastructure Facility for the purpose of causing damage,  
11 disruption, interference, or impairment of utility operations, maritime  
12 transportation operations, cargo operations, or critical infrastructure  
13 operations;

14 (D) Strikes or attempts to strike a Protected Critical  
15 Infrastructure Facility, equipment, structure, vehicle, pipeline,  
16 transmission asset, communication system, or other critical  
17 infrastructure with an unmanned aircraft for the purpose of causing  
18 damage, disruption or interference;

19 (E) Enables or attempts to enable unauthorized proximity-based  
20 cyber operations, electronic intrusion, communications interception,  
21 data collection, manipulation, disruption, or interference with critical  
22 infrastructure operations through the use of an unmanned aircraft; or

23 (F) Operates an unmanned aircraft in a manner intended to  
24 disrupt, interfere with, or impair the safe and reliable operation of a  
25 Protected Critical Infrastructure Facility.

26 **(h) Penalties**

1           (1) Any person convicted of violating subsection (g)(1)(A) or (g)(1)(B)  
2 shall be guilty of a misdemeanor and, upon conviction, shall be punished by  
3 imprisonment for not more than one (1) year, by a fine not exceeding One  
4 Thousand Dollars (\$1,000), or by both such imprisonment and fine.

5           (2) Any person convicted of violating subsection (g)(1)(C), subsection  
6 (g)(1)(D), subsection (g)(1)(E) or subsection (g)(1)(F) shall be guilty of a  
7 felony.

8           (3) Notwithstanding subsection (1), a person convicted of violating  
9 subsection (g)(1)(A) or subsection (g)(1)(B), where such violation was  
10 committed with the intent to facilitate or in furtherance of a violation of  
11 subsection (g)(1)(C), subsection (g)(1)(D), subsection (g)(1)(E), or  
12 subsection (g)(1)(F) shall be punishable as a felony.

13           (4) Each flight or operation conducted in violation of this Section  
14 constitutes a separate offense.”

15       **Section 3. Certification of Compliance.** No later than thirty (30) days prior  
16 to the effective date of this Act, the General Manager of the Port Authority of Guam  
17 shall provide written certification to the Speaker of *I Liheslaturan Guåhan* that the  
18 requirements of Section 4 of this Act have been completed. Failure to provide such  
19 certification shall not affect the effective date of this Act.

20       **Section 4. Effective Date.** This Act shall take effect one hundred eighty  
21 (180) days after enactment. The Port Authority of Guam shall, during that period,  
22 publish the map required by § 70.470(b), install signage at Protected Critical  
23 Infrastructure Facilities, and conduct reasonable public outreach and education  
24 regarding the requirements of this Act.