

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
67-38 (COR)	Jesse A. Lujan Christopher M. Dueñas V. Anthony Ada Tina Rose Muña Barnes Vincent A. V. Borja Frank F. Blas, Jr. Sabrina Salas Matanane William A. Parkinson Joe S. San Agustin Eulogio Shawn Gumataotao	AN ACT TO <i>REPEAL</i> AND RE-ENACT § 1203.1 OF ARTICLE 2, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO PROVIDING AUTHORITY TO THE ANTONIO B. WON PAT INTERNATIONAL AIRPORT AUTHORITY, GUAM TO ADOPT POLICIES AND PROCEDURES FOR THE SOLICITATION, SELECTION, AND AWARD OF AGREEMENTS BETWEEN THE AUTHORITY AND ANY OTHER PARTY FOR THE USE OF AIRPORT FACILITIES AND PROPERTIES FOR AIRPORT PURPOSES AND/OR VISITOR RELATED ACTIVITIES.	2/26/25 3:31 p.m.	3/6/25	Committee on Transportation, Tourism, Customs, Utilities, and Federal and Foreign Affairs.	Request: 3/6/25 Waiver: 3/13/25	4/20/25	5/6/25 As Amended.	



May 1, 2025

The Honorable Frank F. Blas Jr.
Speaker, *I Mina'trentai Ocho na Liheslaturan Guåhan*
163 W. Chalan Santo Papa
Hågatña, Guam 96910

Via Honorable Vice Speaker V. Anthony Ada 
Chairman, Committee on Rules

RE: Committee Report on Bill No. 67-38 (COR) As amended by the Committee

Buenas yan Håfa Ådai Speaker,

Transmitted herewith is the Committee Report on Bill No. 67-38 (COR) - Jesse A. Lujan / Christopher M. Dueñas / V. Anthony Ada / Tina Rose Muña Barnes / Vincent A. V. Borja / Frank F. Blas, Jr. / Sabrina Salas Matanane / William A. Parkinson / Joe S. San Agustin / Eulogio Shawn Gumataotao - An Act To Repeal And Re-Enact §1203.1 Of Article 2, Title 12 Of The Guam Code Annotated, Relative To Providing Authority To The Antonio B. Won Pat International Airport Authority, Guam To Adopt Policies And Procedures For The Solicitation, Selection, And Award Of Agreements Between The Authority And Any Other Party For The Use Of Airport Facilities And Properties For Airport Purposes And/Or Visitor Related Activities.

Committee votes are as follows:

<u>7</u>	TO DO PASS
<u>-</u>	TO NOT PASS
<u>-</u>	TO REPORT OUT ONLY
<u>-</u>	TO ABSTAIN
<u>-</u>	TO PLACE IN INACTIVE FILE

Senseremente,


Senator Jesse A. Lujan

Chairperson, Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs



COMMITTEE ON RULES

RECEIVED:

May 1, 2025 2:18 p.m.

Revisions:

May 5, 2025 12:04 p.m.

Marie Crisostomo



COMMITTEE REPORT

BILL NO. 67-38 (COR)

INTRODUCED BY

Jesse A. Lujan / Christopher M. Dueñas / V. Anthony Ada / Tina Rose Muña Barnes / Vincent A. V. Borja / Frank F. Blas, Jr. / Sabrina Salas Matanane / William A. Parkinson / Joe S. San Agustin / Eulogio Shawn Gumataotao

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May 1, 2025

MEMORANDUM

To: **All Members**
Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs

From: **Senator Jesse A. Lujan**
Chairperson, Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs

Subject: **Committee Report on Bill No. 67-38 (COR)**

Transmitted herewith for your consideration is the Committee Report on Bill No. **67-38 (COR)** - Jesse A. Lujan / Christopher M. Dueñas / V. Anthony Ada / Tina Rose Muña Barnes / Vincent A. V. Borja / Frank F. Blas, Jr. / Sabrina Salas Matanane / William A. Parkinson / Joe S. San Agustin / Eulogio Shawn Gumataotao - An Act To Repeal And Re-Enact §1203.1 Of Article 2, Title 12 Of The Guam Code Annotated, Relative To Providing Authority To The Antonio B. Won Pat International Airport Authority, Guam To Adopt Policies And Procedures For The Solicitation, Selection, And Award Of Agreements Between The Authority And Any Other Party For The Use Of Airport Facilities And Properties For Airport Purposes And/Or Visitor Related Activities.

This report includes the following:

- Copy of COR Referral of Bill No. 67-38 (COR)
- Notices of Public Hearing
- Copy of the Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Copies of Submitted Written Testimony
- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 67-38 (COR), *As Introduced*
- Copy of Bill No. 67-38 (COR), *As Amended* (Markup)
- Fiscal Note/Fiscal Note Waiver

Should you have any questions or concerns, please do not hesitate to contact me.

Respectfully,

Senator Jesse A. Lujan

Chairperson, Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs



COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature

March 6, 2025

To: **Rennae V. C. Meno**
Clerk of the Legislature

Attorney Darleen Hiton
Legislative Legal Counsel

From: **Vice Speaker V. Anthony Ada** 
Chairperson, Committee on Rules

Subject: **Referral of Bill No. 67-38 (COR)**

Håfa Adai,

As per my authority as Chairperson of the Committee on Rules and subject to §6.01(d)(1), Rule VI of our Standing Rules, I am forwarding the referral of **Bill No. 67-38 (COR)** – Jesse A. Lujan, Christopher M. Dueñas, V. Anthony Ada, Tina Rose Muña Barnes, Vincent A. V. Borja, Frank F. Blas, Jr., Sabrina Salas Matanane, William A. Parkinson, Joe S. San Agustin, Eulogio Shawn Gumataotao. – “AN ACT TO *REPEAL* AND *RE-ENACT* § 1203.1 OF ARTICLE 2, TITLE 12 OF THE GUAM CODE ANNOTATED, RELATIVE TO PROVIDING AUTHORITY TO THE ANTONIO B. WON PAT INTERNATIONAL AIRPORT AUTHORITY, GUAM TO ADOPT POLICIES AND PROCEDURES FOR THE SOLICITATION, SELECTION, AND AWARD OF AGREEMENTS BETWEEN THE AUTHORITY AND ANY OTHER PARTY FOR THE USE OF AIRPORT FACILITIES AND PROPERTIES FOR AIRPORT PURPOSES AND/OR VISITOR RELATED ACTIVITIES.”

Please ensure that the subject bill is referred to the Committee on Transportation, Tourism, Customs, Utilities, and Federal and Foreign Affairs chaired by Senator Jesse A. Lujan. I also request that the same be forwarded to the Prime Sponsor of the subject bill and to Management Information Services (MIS) for posting on our website.

A copy of the bill is available on our legislative website.

Should you have any questions or concerns, please feel free to contact Kamarin Nelson, Committee on Rules Director at 671-472-2461.





Senator Jesse Lujan <senator.lujan@guamlegislature.gov>

FIRST NOTICE of Public Hearings on Thursday, March 20, 2025

2 messages

Senator Jesse Lujan <senator.lujan@guamlegislature.gov>
To: phnotice@guamlegislature.gov

Thu, Mar 13, 2025 at 9:32 AM

FOR IMMEDIATE RELEASE
March 13, 2025

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Senator Jesse A. Lujan
Chairman, Committee on Transportation, Tourism, Customs, Utilities,
and Federal & Foreign Affairs

RE: FIRST NOTICE of Public Hearings on Thursday, March 20, 2025

The Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs will conduct a public hearing on **Thursday March 20, 2025** beginning at **9:00am** at the Public Hearing Room in the Guam Congress Building. The agenda is as follows:

9:00AM

• **Bill No. 30-38 (COR)** - Sabrina Flores Perez / V. Anthony Ada / Chris Barnett / Shelly V. Calvo / Sabrina Salas Matanane / Telo T. Taitague / Therese M. Terlaje - AN ACT TO ADD A NEW ARTICLE 11 TO CHAPTER 51A OF TITLE 10, GUAM CODE ANNOTATED; AND ADD A NEW § 14104(p) TO CHAPTER 14 OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE GUAM SOLID WASTE AUTHORITY ISLANDWIDE COLLECTION PLAN.

• **Bill No. 67-38 (COR)** - Jesse A. Lujan / Christopher M. Dueñas / V. Anthony Ada / Tina Rose Muña Barnes / Vincent A. V. Borja / Frank F. Blas, Jr. / Sabrina Salas Matanane / William A. Parkinson / Joe S. San Agustin / Eulogio Shawn Gumataotao - AN ACT TO REPEAL AND RE-ENACT § 1203.1 OF ARTICLE 2, TITLE 12 OF THE GUAM CODE ANNOTATED, RELATIVE TO PROVIDING AUTHORITY TO THE ANTONIO B. WON PAT INTERNATIONAL AIRPORT AUTHORITY, GUAM TO ADOPT POLICIES AND PROCEDURES FOR THE SOLICITATION, SELECTION, AND AWARD OF AGREEMENTS BETWEEN THE AUTHORITY AND ANY OTHER PARTY FOR THE USE OF AIRPORT FACILITIES AND PROPERTIES FOR AIRPORT PURPOSES AND/OR VISITOR RELATED ACTIVITIES.

If you would like to participate in any of the Public Hearings listed above or submit written testimony, please contact the Office of Senator Jesse A. Lujan for further assistance via email at senator.lujan@guamlegislature.gov or by phone at (671) 969-6525.

In compliance with Title II of the Americans with Disabilities Act (ADA), all government activities, programs, and services are accessible to individuals with disabilities. If you or anyone you know requires assistance or special accommodations to participate in the public hearing, please contact the Office of Senator Jesse A. Lujan at the contact information provided above.

The Public Hearings will be broadcast LIVE on local television (GTA Channel 21, Docomo Channel 117) and streamed online through I Liheslaturan Guåhan's YouTube Channel (@guamlegislaturemedia).

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Office of Majority Leader Jesse A. Lujan

Chairman, Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs

259 Martyr St., Hagatna, Guam 96910

senator.lujan@guamlegislature.gov

(671) 969-6525



JAL_PH_FN-03.20.2025.pdf
438K

Senator Jesse Lujan <senator.lujan@guamlegislature.gov>
To: Artemio Ricky Hernandez <ahernandez@guamairport.net>

Thu, Mar 13, 2025 at 4:38 PM



Office of Majority Leader Jesse A. Lujan

Chairman, Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs

259 Martyr St., Hagatna, Guam 96910

senator.lujan@guamlegislature.gov

(671) 969-6525

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FOR IMMEDIATE RELEASE

March 13, 2025

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Senator Jesse A. Lujan

Chairman, Committee on Transportation, Tourism, Customs, Utilities, and Federal & Foreign Affairs

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FIRST NOTICE of Public Hearings on Thursday, March 20, 2025

 PRINT

**FIRST NOTICE of Public Hearings on Thursday,
March 20, 2025**

PUBLIC HEARING



 **Posted on:** 03/13/2025 10:35 AM

 **Posted by:** Cecile Suda

 **Public Hearing Date:** 03/20/2025 09:00 AM

 **Department(s):**
GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):**
OFFICE OF SENATOR JESSE A. LUJAN (/notices?division_id=270)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

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FOR IMMEDIATE RELEASE

March 13, 2025

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Senator Jesse A. Lujan
Chairman, Committee on Transportation, Tourism, Customs, Utilities,
and Federal & Foreign Affairs

RE: FIRST NOTICE of Public Hearings on Thursday, March 20, 2025

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and Federal & Foreign Affairs.

\$500.00



Senator Jesse Lujan <senator.lujan@guamlegislature.gov>

SECOND NOTICE of Public Hearings on Thursday, March 20, 2025

2 messages

Senator Jesse Lujan <senator.lujan@guamlegislature.gov>
To: phnotice@guamlegislature.gov

Tue, Mar 18, 2025 at 8:13 AM

FOR IMMEDIATE RELEASE
March 18, 2025

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Senator Jesse A. Lujan Chairman, Committee on Transportation, Tourism, Customs, Utilities, and Federal & Foreign Affairs

RE: SECOND NOTICE of Public Hearings on Thursday, March 20, 2025

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Office of Majority Leader Jesse A. Lujan

Chairman, Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs

259 Martyr St., Hagatna, Guam 96910

senator.lujan@guamlegislature.gov

(671) 969-6525



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Catherine Castro <ccastro@guamchamber.com.gu>
Reply-To: ccastro@guamchamber.com.gu
To: Senator Jesse Lujan <senator.lujan@guamlegislature.gov>

Thu, Mar 20, 2025 at 9:00 AM

Hafa Adai Senator Lujan,

The Chamber has prepared a statement for Bill No. 67-38 and we are finalizing the details on our testimony which will not be ready in time for today's 9 am hearing. In general, we are lending our support for the bill. However, we do have concerns regarding checks and balances. We will send our testimony as soon as we finalize. Thank you for your understanding.

Sincerely,

Catherine

Catherine Castro

President

Guam Chamber of Commerce



Tel: (671) 472-6311/8001



GuamChamber.com.gu



**GUAM CHAMBER
OF COMMERCE**
PROGRESS NOW AND FOREVER

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FOR IMMEDIATE RELEASE

March 18, 2025

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Senator Jesse A. Lujan
Chairman, Committee on Transportation, Tourism, Customs, Utilities,
and Federal & Foreign Affairs

RE: SECOND NOTICE of Public Hearings on Thursday, March 20, 2025

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SECOND NOTICE of Public Hearings on Thursday, March 20, 2025

 PRINT

**SECOND NOTICE of Public Hearings on Thursday,
March 20, 2025**

PUBLIC HEARING



 **Posted on:** 03/18/2025 09:03 AM

 **Posted by:** Cecile Suda

 **Public Hearing Date:** 03/20/2025 09:00 AM

 **Department(s):**

GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):** OFFICE OF SENATOR JESSE A. LUJAN (/notices?division_id=270)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

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FOR IMMEDIATE RELEASE

March 18, 2025

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Senator Jesse A. Lujan Chairman, Committee on Transportation, Tourism, Customs, Utilities, and Federal & Foreign Affairs

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Tourism, Customs, Utilities and Federal & Foreign Affairs.

Invitation to Public Hearing for Bill No. 67-38 (COR)

4 messages

Senator Jesse Lujan <senator.lujan@guamlegislature.gov>

Thu, Mar 13, 2025 at 11:16 AM

Bcc: adam.ferguson@asaipacificairlines.com, nancy.kwan@china-airlines.com, samuel.shinohara@united.com, owano.r9d5@jal.com, navarro.tm6s@jal.com, ejkim1@jejuair.net, jblee@jinair.com, hjyi@jinair.com, gumkkkz@koreanair.com, mhuang@koreanair.com, mark_okuhira@pal.com.ph, gumkkz@twayair.com, jaejun.lee@lotte.net, ernie.galito@akguam.com, hertzmain@triplejguam.com, hertzgm@triplejguam.com, ctomada@ehiglobalguam.com, ltomada@ehiglobalguam.com, abonto@nissanguam.com, bdowney@nissanguam.com, tani@fisheveguam.com, rennv@fisheveguam.com, [REDACTED] dane@dominosmarketing.com, [REDACTED] [REDACTED] [REDACTED]

Buenas yan Hafa Adai!

The Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs invites you to participate in a public hearing on Bill No. 67-38 (COR), scheduled for Thursday, March 20, 2025 at 9:00 a.m. in the Guam Congress Building.

Your input is valuable, and we encourage you to attend and share your testimony. If you are unable to participate in person, we welcome written testimony, which may be submitted via email to senator.lujan@guamlegislature.gov.

Should you have any questions or require additional information, please do not hesitate to contact our office at (671) 969-6525.

Please kindly confirm receipt of this email.

Si Yu'os Ma'ase!

—

**Office of Majority Leader Jesse A. Lujan***Chairman, Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs*

259 Martyr St., Hagatna, Guam 96910

senator.lujan@guamlegislature.gov

(671) 969-6525

2 attachments**JAL_PH-FN-03.20.2025.pdf**

431K

**Bill No. 67-38 (COR).pdf**

3864K

Mail Delivery Subsystem <mailer-daemon@googlemail.com>

To: senator.lujan@guamlegislature.gov

Thu, Mar 13, 2025 at 11:16 AM

**Address not found**

Your message wasn't delivered to **adam.ferguson@asaipacificairlines.com** because the domain asaipacificairlines.com couldn't be found. Check for typos or unnecessary spaces and try again.

[LEARN MORE](#)

The response was:

DNS Error: DNS type 'mx' lookup of [asaipacificairlines.com](#) responded with code NXDOMAIN Domain name not found: [asaipacificairlines.com](#) For more information, go to <https://support.google.com/mail/?p=BadRcptDomain>

Final-Recipient: rfc822; adam.ferguson@asaipacificairlines.com

Action: failed

Status: 5.1.2

Diagnostic-Code: smtp; DNS Error: DNS type 'mx' lookup of [asaipacificairlines.com](#) responded with code NXDOMAIN Domain name not found: [asaipacificairlines.com](#) For more information, go to <https://support.google.com/mail/?p=BadRcptDomain>

Last-Attempt-Date: Wed, 12 Mar 2025 18:16:59 -0700 (PDT)

----- Forwarded message -----

From: Senator Jesse Lujan <senator.lujan@guamlegislature.gov>

To: undisclosed-recipients;;

Cc:

Bcc: adam.ferguson@asaipacificairlines.com

Date: Thu, 13 Mar 2025 11:16:43 +1000

Subject: Invitation to Public Hearing for Bill No. 67-38 (COR)

----- Message truncated -----

Akihiro TANI <tani@fisheyeguam.com>

Thu, Mar 13, 2025 at 6:34 PM

To: Senator Jesse Lujan <senator.lujan@guamlegislature.gov>

Cc: Renny Loren <renny@fisheyeguam.com>, Fish Eye Reservations MGR <rsv_mgr@fisheyeguam.com>

Håfa Adai senator Lujan;

Thank you very much for inviting me to participate in public hearing scheduled at March 20, 2025 at 9:00 am.

I will attend the meeting.

Si Yu'os Ma'åse'

Akihiro TANI

General Manager

Fish Eye Marine Park

[Quoted text hidden]



ウイルスフリー。 www.avast.com

jaejun.lee@lotte.net <jaejun.lee@lotte.net>

Tue, Mar 18, 2025 at 2:56 PM

To: Senator Jesse Lujan <senator.lujan@guamlegislature.gov>
Cc: "joohyung.hwangbo@lotte.net" <joohyung.hwangbo@lotte.net>, "yerina.kang@lotte.net" <yerina.kang@lotte.net>

Hafa Adai,

My name is Jaejun Lee, and I am the CEO of Lotte Duty Free Guam.

Please find attached our support letter for Bill No. 67-38

If you have any questions, feel free to reach out.

Best regards,

JJ



=====

이 메일은 지정된 수취인만을 위해 작성되었으며, 중요한 정보나 저작권을 포함하고 있을 수 있습니다. 어떠한 권한 없이, 본 문서에 포함된 정보의 전부 또는 일부를 무단으로 제3자에게 공개, 배포, 복사 또는 사용하는 것을 엄격히 금지합니다. 만약, 본 메일이 잘못 전송된 경우, 발신인 또는 당사에 알려주시고, 본 메일을 즉시 삭제하여 주시기 바랍니다. 무단 사용 시, 민형사상 책임을 물을수도 있습니다.

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=====

롯데면세점은 공정한 거래를 하기 위한 일환으로 리베이트 수수를 금지하여 고객의 신뢰도를 증진하고 건전한 사회가 조성될 수 있도록 노력하고 있습니다.

In order to preserve the trust and confidence of customers, transactions should be conducted in a fair trading spirit. Any illicit transactions or unethical rebates are strictly prohibited.

보낸 사람: Senator Jesse Lujan <senator.lujan@guamlegislature.gov>

보낸 날짜: Thursday, March 13, 2025 11:17 AM

제목: Invitation to Public Hearing for Bill No. 67-38 (COR)

<<< 주의!!! 외부에서 유입된 메일이니 링크 이동 및 첨부파일 클릭 시 주의 요망 >>>

[Quoted text hidden]



Support Letter for Bill No. 67-38.pdf

42K



Senator Jesse Lujan <senator.lujan@guamlegislature.gov>

Public Hearing Notices-March 20, 2025

3 messages

Senator Jesse Lujan <senator.lujan@guamlegislature.gov>

Tue, Mar 11, 2025 at 11:24 AM

To: [REDACTED] <[REDACTED]>, Christina Flores Dela Cruz <cdelacruz@pbsguam.org>

Cc: Cecile Suda <cecile.suda@guamlegislature.gov>

Bcc: La'Kiesha Pereda [REDACTED]

Hafa Adai Christine and Don,

Attached please find the First and Second Notices for the March 20, 2025 public hearing for the Committee on Transportation, Tourism, Customs, Utilities and Federal and Foreign Affairs. Please prepare the invoices for the two postings and forward to our office.

Should you have any questions or concerns, please do not hesitate to contact me at our office or on my cell phone [REDACTED]

Thank you.

Best Regards,
Cecile Bamba Suda
Deputy Chief of Staff



Office of Majority Leader Jesse A. Lujan

Chairman, Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs

259 Martyr St., Hagatna, Guam 96910

senator.lujan@guamlegislature.gov

(671) 969-6525

2 attachments

 JAL_PH-FN-03.20.2025.pdf
431K

 JAL-PH-SN-03.20.2025.pdf
431K

PBS E-mail <cdelacruz@pbsguam.org>

To: Senator Jesse Lujan <senator.lujan@guamlegislature.gov>, [REDACTED]

Cc: Cecile Suda <cecile.suda@guamlegislature.gov>

Fri, Mar 21, 2025 at 8:05 AM

Good Morning Cil:

As requested for now, attached is the affidavits for the services provided on the public notice as proof of broadcast. I will process the invoice next week as I am out of the office for the rest of the day.

R/



Christine M. Flores-Dela Cruz

Development

PBS Guam KGTF Ch.12

Tel: (671)588-5528

cdelacruz@pbsguam.org

From: Senator Jesse Lujan [mailto:senator.lujan@guamlegislature.gov]

Sent: Tuesday, March 11, 2025 11:25 AM

To: donmuna@gmail.com; Christina Flores Dela Cruz <cdelacruz@pbsguam.org>

Cc: Cecile Suda <cecile.suda@guamlegislature.gov>

Subject: Public Hearing Notices-March 20, 2025

Hafa Adai Christine and Don,

Attached please find the First and Second Notices for the March 20, 2025 public hearing for the Committee on Transportation, Tourism, Customs, Utilities and Federal and Foreign Affairs. Please prepare the invoices for the two postings and forward to our office.

Should you have any questions or concerns, please do not hesitate to contact me at our office or on my cell phone

[REDACTED]

Thank you.

Best Regards,

Cecile Bamba Suda

Deputy Chief of Staff

Office of Majority Leader Jesse A. Lujan

Chairman, Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs

259 Martyr St., Hagatna, Guam 96910

senator.lujan@guamlegislature.gov

(671) 969-6525



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2 attachments



SENATOR J. LUJAN II.pdf

249K



SENATOR J. LUJAN.pdf

365K

Senator Jesse Lujan <senator.lujan@guamlegislature.gov>

Fri, Mar 21, 2025 at 9:26 AM

To: PBS E-mail <cdelacruz@pbsguam.org>

Cc: [REDACTED], Cecile Suda <cecile.suda@guamlegislature.gov>

Hi Christine,

Thank you for the information. We look forward to receiving the invoice next week.

Have a good weekend!

Best regards,
Cecile Bamba Suda
Deputy Chief of Staff



Office of Majority Leader Jesse A. Lujan

Chairman, Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs

259 Martyr St., Hagatna, Guam 96910

senator.lujan@guamlegislature.gov

(671) 969-6525

[Quoted text hidden]



PUBLIC HEARING AGENDA

Thursday, March 20, 2025 - Guam Congress Building

9:00AM:

- **Bill No. 67-38 (COR)** - Jesse A. Lujan / Christopher M. Dueñas / V. Anthony Ada / Tina Rose Muña Barnes / Vincent A. V. Borja / Frank F. Blas, Jr. / Sabrina Salas Matanane / William A. Parkinson / Joe S. San Agustin / Eulogio Shawn Gumataotao - An Act To Repeal And Re-Enact §1203.1 Of Article 2, Title 12 Of The Guam Code Annotated, Relative To Providing Authority To The Antonio B. Won Pat International Airport Authority, Guam To Adopt Policies And Procedures For The Solicitation, Selection, And Award Of Agreements Between The Authority And Any Other Party For The Use Of Airport Facilities And Properties For Airport Purposes And/Or Visitor Related Activities.
- **Bill No. 30-38 (COR)** - Sabina Flores Perez / V. Anthony Ada / Chris Barnett / Shelly V. Calvo / Sabrina Salas Matanane / Telo T. Taitague / Therese M. Terlaje - An Act To Add A New Article 11 To Chapter 51a Of Title 10, Guam Code Annotated; And Add A New § 14104(P) To Chapter 14 Of Title 12, Guam Code Annotated, Relative To Establishing The Guam Solid Waste Authority Islandwide Collection Plan.

If you would like to participate in any of the Public Hearings listed above or submit written testimony, please contact the Office of Senator Jesse A. Lujan for further assistance via email at senator.lujan@guamlegislature.gov or by phone at (671) 969-6525.

In compliance with Title II of the Americans with Disabilities Act (ADA), all government activities, programs, and services are accessible to individuals with disabilities. If you or anyone you know requires assistance or special accommodations to participate in the public hearing, please contact the Office of Senator Jesse A. Lujan at the contact information provided above.

The Public Hearings will be broadcast LIVE on local television (GTA Channel 21, Docomo Channel 117) and streamed online through *I Liheslaturan Guåhan's* YouTube Channel (@guamlegislaturemedia).

67



I Mina'trentai Ocho na Liheslaturan Guahan

Office of Senator Jesse A. Lujan

Chairman, Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs

Date:

March 10, 2025

Time: 9:00 AM

Bill No. 67-38 (COR) - Jesse A. Lujan / Christopher M. Dueñas / V. Anthony Ada / Tina Rose Muña Barnes / Vincent A. V. Borja / Frank F. Blas, Jr. / Sabrina Salas Matanane / William A. Parkinson / Joe S. San Agustin / Eulogio Shawn Gumataotao - An Act To Repeal And Re-Enact §1203.1 Of Article 2, Title 12 Of The Guam Code Annotated, Relative To Providing Authority To The Antonio B. Won Pat International Airport Authority, Guam To Adopt Policies And Procedures For The Solicitation, Selection, And Award Of Agreements Between The Authority And Any Other Party For The Use Of Airport Facilities And Properties For Airport Purposes And/Or Visitor Related Activities.

	Name	Agency / Address	Contact No.	Email	Type of Testimony		Support	
					Oral	Written	Yes	No
1	JOHN "JO" M. QUINATA	GIAA		joh.quinata@guamairport.net	✓	✓	✓	
2	ARTEMIO "RICKY" HERNANDEZ, PH.D	GIAA		ahernandez@guamairport.net	✓		✓	
3	BRIAN J. BAMBA	GIAA			✓	✓	✓	
4	ROLANDA L. FAAGHAMALIE	GIAA		rolenda@guamairport.net			✓	
5	MARK DELGADO	GIAA		mark.delgado@guamairport.net			✓	
6	Andrea Blas	GIAA		andrea.blas@guamairport.net			✓	
7	JUAN SA. REYES ACF.	GIAA					✓	
8	AMANDA LEON GUERRERO	GIAA					✓	
9	HA'ANE ADA	GIAA					✓	
10	Wanda FC Winterke	GIAA					✓	



I Mina'trentai Ocho na Liheslaturan Guahan

Office of Senator Jesse A. Lujan

Chairman, Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs

Date:

March 20, 2025

Time: 9:00 AM

Bill No. 67-38 (COR) - Jesse A. Lujan / Christopher M. Dueñas / V. Anthony Ada / Tina Rose Muña Barnes / Vincent A. V. Borja / Frank F. Blas, Jr. / Sabrina Salas Matanane / William A. Parkinson / Joe S. San Agustin / Eulogio Shawn Gumataotao - An Act To Repeal And Re-Enact §1203.1 Of Article 2, Title 12 Of The Guam Code Annotated, Relative To Providing Authority To The Antonio B. Won Pat International Airport Authority, Guam To Adopt Policies And Procedures For The Solicitation, Selection, And Award Of Agreements Between The Authority And Any Other Party For The Use Of Airport Facilities And Properties For Airport Purposes And/Or Visitor Related Activities.

	Name	Agency / Address	Contact No.	Email	Type of Testimony		Support	
					Oral	Written	Yes	No
1	Regine Biscoc Lee	GVB			✓	✓	✓	
2	MR. Richard Guerrero	BTAG		richard.guerrero@bttag.com.gu			✓	
3	John G. Shimizu	Aire					✓	
4	ROSE MATANANE	AIRE SERVICES				✓	✓	
5	BALTAZAR ADAN	AFA			✓	✓	✓	
6	KOHEI NAGANO	ADA					✓	
7	DAN GUERRERO	ADA					✓	
8	Jim Miah	BTAF				✓	✓	
9	Gurvinder Sobti	GIAA					✓	
10	Mark Mangione	GVB		mark.mangione@visitguam.org			✓	



I Mina'trentai Ocho na Liheslaturan Guahan

Office of Senator Jesse A. Lujan

Chairman, Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs

Date:

March 20, 2025

Time: 9:00 AM

Bill No. 67-38 (COR) - Jesse A. Lujan / Christopher M. Dueñas / V. Anthony Ada / Tina Rose Muña Barnes / Vincent A. V. Borja / Frank F. Blas, Jr. / Sabrina Salas Matanane / William A. Parkinson / Joe S. San Agustin / Eulogio Shawn Gumataotao - An Act To Repeal And Re-Enact §1203.1 Of Article 2, Title 12 Of The Guam Code Annotated, Relative To Providing Authority To The Antonio B. Won Pat International Airport Authority, Guam To Adopt Policies And Procedures For The Solicitation, Selection, And Award Of Agreements Between The Authority And Any Other Party For The Use Of Airport Facilities And Properties For Airport Purposes And/Or Visitor Related Activities.

	Name	Agency / Address	Contact No.	Email	Type of Testimony		Support	
					Oral	Written	Yes	No
1	Barry Chutes	GIAA		nsantos@guamairport.net			✓	
2	Alice Spive	GIAA		dstone@guamairport.net			✓	
3	Chowley Cruz	AIRE					X	
4	Denise Dueñas	GIAA		denise.duenas@guamairport.net			X	
5	Kristi Stone	GIAA		Kristi.stone@guamairport.net			✓	
6	Dafne M. Shuman	GIAA					✓	
7	Raymond Mantua	GIAA/AIRFF		raymond@guamairport.net			✓	
8	Marie Leonguenes	GIAA		marie.leonguenes@guamairport.net			✓	
9	Dylan Sablan	BTACS		dylan.sablan@btacs.gum.com			✓	
10	Ron De la Rosa	GIAA		ron@guamairport.net			✓	



I Mina'trentai Ocho na Liheslaturan Guahan

Office of Senator Jesse A. Lujan

Chairman, Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs

Date:

March 28, 2025

Time: 9:00 AM

Bill No. 67-38 (COR) - Jesse A. Lujan / Christopher M. Dueñas / V. Anthony Ada / Tina Rose Muña Barnes / Vincent A. V. Borja / Frank F. Blas, Jr. / Sabrina Salas Matanane / William A. Parkinson / Joe S. San Agustin / Eulogio Shawn Gumataotao - An Act To Repeal And Re-Enact §1203.1 Of Article 2, Title 12 Of The Guam Code Annotated, Relative To Providing Authority To The Antonio B. Won Pat International Airport Authority, Guam To Adopt Policies And Procedures For The Solicitation, Selection, And Award Of Agreements Between The Authority And Any Other Party For The Use Of Airport Facilities And Properties For Airport Purposes And/Or Visitor Related Activities.

	Name	Agency / Address	Contact No.	Email	Type of Testimony		Support	
					Oral	Written	Yes	No
1	Lori Cruz	GIAA		Lori.cruz@guamairport.net			✓	
2	RYAN TOPASNA	GIAA/MIS		ratintopasna@guamairport.net			✓	
3	FRANK TAITANO	GIAA		frank.taitano@guamairport.net			✓	
4	Gabbie Baza	GVB					✓	
5	Bree Garrido	GVB					✓	
6	Annabel Carfora	GVB						
7	Rudd Gudmalin	GVB					✓	
8	Chernie Analista	GIAA		chernie.analista@guamairport.net			✓	
9	Sharleen Guerrero	GVB		sharleen.guerrero@vinit.guam.gy			✓	
10	Margaret Sablan	GVB		margaret.sablan@vinit.guam.gy			✓	



I Mina'trentai Ocho na Liheslaturan Guahan
Office of Senator Jesse A. Lujan
Chairman, Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs

Date:

March 10, 2025

Time: 9:00 AM

Bill No. 67-38 (COR) - Jesse A. Lujan / Christopher M. Dueñas / V. Anthony Ada / Tina Rose Muña Barnes / Vincent A. V. Borja / Frank F. Blas, Jr. / Sabrina Salas Matanane / William A. Parkinson / Joe S. San Agustin / Eulogio Shawn Gumataotao - An Act To Repeal And Re-Enact §1203.1 Of Article 2, Title 12 Of The Guam Code Annotated, Relative To Providing Authority To The Antonio B. Won Pat International Airport Authority, Guam To Adopt Policies And Procedures For The Solicitation, Selection, And Award Of Agreements Between The Authority And Any Other Party For The Use Of Airport Facilities And Properties For Airport Purposes And/Or Visitor Related Activities.

	Name	Agency / Address	Contact No.	Email	Type of Testimony		Support	
					Oral	Written	Yes	No
1	Joseph Atalis	Capital Kitzla		[REDACTED]		X	X	
2	Akemi Aguon	GVB		akemi.aguon@visitguam.com			X	
3	Regina Bocahija	GVB		regina.bocahija@visitguam.com			X	
4	Alexis Tai	Fish Eye Konohe Park KETO, LLC		tai@fishyeguam.com	X		X	
5	FRANK SHIMIN	DIOB		fgs@ambassadors.com			X	
6	MINNA CRUZ							
7	Jessica F.							
8	Nichole P							
9	Lorie C.							
10								



I Mina'trentai Ocho na Liheslaturan Guahan
Office of Senator Jesse A. Lujan

Chairman, Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs

Date:

March 20, 2025

Time: 9:00 AM

Bill No. 67-38 (COR) - Jesse A. Lujan / Christopher M. Dueñas / V. Anthony Ada / Tina Rose Muña Barnes / Vincent A. V. Borja / Frank F. Blas, Jr. / Sabrina Salas Matanane / William A. Parkinson / Joe S. San Agustin / Eulogio Shawn Gumataotao - An Act To Repeal And Re-Enact §1203.1 Of Article 2, Title 12 Of The Guam Code Annotated, Relative To Providing Authority To The Antonio B. Won Pat International Airport Authority, Guam To Adopt Policies And Procedures For The Solicitation, Selection, And Award Of Agreements Between The Authority And Any Other Party For The Use Of Airport Facilities And Properties For Airport Purposes And/Or Visitor Related Activities.

	Name	Agency / Address	Contact No.	Email	Type of Testimony		Support	
					Oral	Written	Yes	No
1	Ragna Redio	GVB						
2	Roseann Jones	UOG		jones@triton.vog.edu				
3	Peter N. Lizaola	GIAA						
4	VANESSA PANGINDIAN	GIAA						
5	Larry Amadio	GIAA						
6								
7								
8								
9								
10								



I Mina'trentai Ocho na Liheslaturan Gwahlân

Office of Senator Jesse A. Lujan

Chairman, Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs

Date:

March 20, 2025

Time: 9:00 AM

Bill No. 67-38 (COR) - Jesse A. Lujan / Christopher M. Dueñas / V. Anthony Ada / Tina Rose Muña Barnes / Vincent A. V. Borja / Frank F. Blas, Jr. / Sabrina Salas Matanane / William A. Parkinson / Joe S. San Agustin / Eulogio Shawn Gumataotao - An Act To Repeal And Re-Enact §1203.1 Of Article 2, Title 12 Of The Guam Code Annotated, Relative To Providing Authority To The Antonio B. Won Pat International Airport Authority, Guam To Adopt Policies And Procedures For The Solicitation, Selection, And Award Of Agreements Between The Authority And Any Other Party For The Use Of Airport Facilities And Properties For Airport Purposes And/Or Visitor Related Activities.

	Name	Agency / Address	Contact No.	Email	Type of Testimony		Support	
					Oral	Written	Yes	No
1	Joaquin Cook	GVB					✓	
2	Regine B. Lee	GVB			✓		✓	
3	Jesse Lujan GIPA							
4	LB							
5								
6								
7								
8								
9								
10								

Adam Ferguson, President
Asia Pacific Airlines
P.O. Box 24858 GMF
Barrigada, Guam 96921



March 13, 2025

Honorable Members of the 38th Guam Legislature
I Mina'trentai Ocho Na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa Street
Hagåtña, Guam 96910

Dear Senators,

I am writing to express my strong support for Bill No. 67-38 (COR), which seeks to grant the Antonio B. Won Pat International Airport Authority (GIAA) the ability to establish policies for agreements related to airport facilities and properties.

As the primary representative and President of Asia Pacific Airlines and an advocate for long-term investment in Guam's aviation infrastructure, I recognize the critical need for stability in lease agreements. Under the current five-year lease restriction, organizations and investors are unlikely to make significant capital investments on the airport premises. By extending the lease terms up to the proposed 50 years would provide the confidence necessary for us and other businesses alike to invest in infrastructure, creating long-term benefits for Guam's economy, job market, and aviation sector. Additionally, the 15yr lease term for concessions at the airport will induce investors for long-term opportunities to improve our airport experience for passengers.

By passing this bill, companies would feel encouraged to confidently commit resources to improving airport facilities, ensuring that their investments contribute to sustainable growth for decades. I encourage your support for this bill to foster longevity in the aviation industry on Guam.

Thank you for your time and consideration.

Sincerely,



Adam Ferguson
President
Asia Pacific Airlines

Hafa Adai Senator and Chairman Lujan,

As a small business owner, I would like to thank you for introducing Bill 67-38 and would like to state for the record that I and my entire team from Capitol Food Group support Bill 67-38 and request all Senators to pass this important business measure.

For the record, our business subleases a structure on property owned by the Guam International Airport Authority. The contract is not between us and the airport but between our group and the Perez family. However, the consequences of the current law, and the effects of this legislation, do impact us directly, not just as tenants but also as investors.

The current law is antiquated and very business unfriendly, because it is a deterrent for investors to want to invest in government owned structures or property. Whoever believes that investors will want to invest in infrastructure alone for a period of five to ten years has never operated a business, nor understands how business returns are realized.

Yes, when we entered into this agreement with the Perez family a few years ago, we knew we were gambling with the hopes that there would be some movement which would amend the existing law. This was so that our organization could realize some returns considering our massive investment in Capitol Kitchen. There were discussions but no action, yet we continued to maintain optimism.

Then came Typhoon Mawar, and that created a major setback, not just for the restaurant, but for all our business activity which was tied to the restaurant. It should be noted that catering events are a major component of our business activity, and the storm devastated our kitchen as well. While we went through the usual process of making insurance claims as every other impacted business in Guam was doing, we continued to invest from our own pockets, while taking out some business loans, so we could at least spark some business activity to recover from our initial investments.

The failure to enact this legislation would simply devastate our organization from a financial perspective, as we would never be able to recover from our total investments. I would like to note that we are more than just a restaurant. We are employers of nearly 100 island residents.

We also are taxpayers, community partners, and our facilities have been utilized for every form of a venue from holiday events to political ones. We have hosted weddings, graduations, birthdays, and even have been a venue for families to gather after funerals. Our catering services have been generated from the facility on airport property, and I have an endless list of the events we have catered for where I am certain all of you on this panel have attended at least once.

Our story is no different than any other investor who has entered or desires to enter into agreement with the airport, and that is to be assured that they would be provided the opportunity to realize the returns from their investment. This is why we are here today, and this is why we

have extended an invitation to our many business partners to help support the passage of Bill 67-38. We need business-friendly legislation like this, especially for small businesses, and this is a measure which needs to be passed immediately.

Many of you know me, and you know my desire to provide a great dining experience for our community. When we first opened our doors, we made it a point that we didn't want to be just a restaurant. Our objective was to create a meaningful experience and to share that experience with others. But we are also a business with bills to pay, mouths to feed, and government obligations to fulfill. We love being community partners, but we also need to remain in business, and this legislation would help accomplish that goal for years to come.

Senator Lujan, thank you for introducing this bill, and I also want to commend all the co-sponsors of this bill for having the right mindset into supporting measures which help provide home grown entrepreneurs with the opportunity to succeed. For those Senators who believe that a long-term lease is too excessive, I would be happy to share with you the challenges our business goes through and why a realistic rate of return is necessary. A story many other local businesses would also be eager to share as well. Thank you very much.

Sincerely,
Casey Castro

March 19, 2025

HONORABLE JESSE A. LUJAN

Majority Leader

Chairman on Committee on Transportation, Tourism, Customs,
Utilities, and Federal and Foreign Affairs
Calvo Arriola Bldg. Suite 101-A
259 Martyr St., Hagåtña, Guam 96910

Investing in Guam's Future – Support for Bill 67-38

Hafa Adai, Majority Leader Lujan,

On behalf of the Business & Technology Endowment Foundation, Inc. (BTEF), I strongly support Bill 67-38, which enables long-term agreements for airport facilities and properties—critical for Guam's economic growth, job creation, and workforce development.

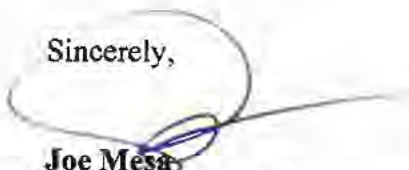
This bill ensures stability in airport operations, encouraging business investment, infrastructure expansion, and partnerships with education programs. At BTEF, our collaboration with the Business & Technology Academy Charter School (BTACS) aims to connect students with real-world aviation experience, internships, and career opportunities—efforts that will be strengthened by this bill.

Beyond education, Bill 67-38 fosters economic growth by attracting local and foreign investment. With concession agreements up to 15 years, businesses in retail, dining, and transportation can expand, boosting Guam's competitiveness and benefiting small businesses.

This legislation is a vital step toward stronger infrastructure, job creation, and long-term prosperity. I urge the 38th Guam Legislature to pass Bill 67-38, securing a sustainable future for Guam's economy and workforce.

Thank you for your leadership and commitment to the advancement of our island.

Sincerely,



Joe Mesa

Executive Director

Business & Technology Endowment
Foundation, Inc. (BTEF)



**BUSINESS
& TECHNOLOGY**
ACADEMY CHARTER SCHOOL

March 19, 2025

Honorable Jesse A. Lujan

Chairperson

Committee on Transportation, Tourism, Customs,

Utilities, and Federal and Foreign Affairs

Calvo Arriola Bldg. Suite 101-A

259 Martyr St., Hagåtña, Guam 96910

(671) 969-6525

RE: LETTER OF SUPPORT FOR BILL 67-38

Håfa Adai, Senator Lujan,

On behalf of the Business & Technology Academy Charter School (BTACS), I express our strong support for Bill 67-38, which seeks to authorize long-term agreements, up to 50 years for the use of airport facilities and properties. This legislation is critical to ensuring stability for aviation companies operating at the Guam International Airport Authority (GIAA), fostering sustained investments that will directly benefit workforce development, career readiness, and entrepreneurial initiatives.

At BTACS, we are committed to preparing the next generation of professionals in aviation, business, and technology. Through our Career Navigation Program, we guide students toward high-demand industries like aviation by providing hands-on exposure, industry mentorship, and structured career pathways that align with Guam's workforce needs and the global market. This program ensures that students gain real-world experience and direct access to aviation-related careers, bridging the gap between education and industry opportunities. By enabling long-term leases for aviation companies, this bill will:

- **Strengthen education-industry collaborations**, ensuring students benefit from real-world experience and long-term career opportunities.
- **Enhance workforce and business development**, fostering investments in apprenticeships, scholarships, and entrepreneurial initiatives.
- **Support economic growth** by allowing aviation businesses to expand operations and create high-quality jobs.
- **Encourage greater investment in student success** through industry-backed programs and business incubators.
- **Facilitate the expansion of aviation education** at BTACS, equipping students with skills that meet industry demands.

BTACS stands firmly in its mission to align education with workforce needs and cultivate entrepreneurship. Bill 67-38 is a pivotal step in securing Guam's aviation industry as a long-term economic driver while empowering students with the education and career opportunities they need to succeed.



**BUSINESS
& TECHNOLOGY**
ACADEMY CHARTER SCHOOL

We urge the 38th Guam Legislature to pass this bill and strengthen the future of aviation education, workforce development, and business innovation in our community.

Thank you for your leadership and dedication to advancing education, economic development, and entrepreneurship for Guam's youth.

Sincerely,

Dylan Sablan

Principal

Business & Technology Academy
Charter School (BTACS)



CTSI Logistics Guam
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March 19, 2025

Honorable Senator Jesse A Lujan, Chairperson
Committee on Transportation, Tourism, Customs, Utilities and Federal and Foreign Affairs
Guam Congress Building
163 Chalan Santo Papa Street
Hagåtña, Guam 96910

Dear Honorable Lujan,

I am writing to express my earnest support for Bill No. 67-38 (COR), which would grant the Antonio B. Won Pat International Airport Authority (GIAA) the authority to establish policies for agreements concerning airport facilities and properties. For us in logistics industry, this bill's push for a 50-year lease extension is a game-changer. that will enable not only our company but other businesses to seek for a long-term investment.

Being the company's representative and Vice President of CTSI Logistics, a logistics provider that has called Guam home since 1990, I speak from a place of deep belief in this island's potential. The current five-year lease restrictions restrict our ability to invest meaningfully in the infrastructure so vital to our work, such as warehouses and transportation hubs. Extending lease terms to 50 years, as this bill enables, would provide the stability our company need to commit resources with confidence, ensuring that our facilities bolster Guam's economy and create lasting opportunities for the people of Guam. Our operations across the Western Pacific, including Saipan, FSM and Palau, stand to benefit as well, with Guam as a stronger regional hub or anchor.

In behalf of the company that I am representing, CTSI Logistics, we are seeking your support to this bill as this will foster a thriving, sustainable logistics future and help us and other companies in this island nation to build a stronger, more connected Guam to the world.

Sincerely,

A handwritten signature in black ink, appearing to read "Danny Lim", written over a large, stylized oval shape.

Danny Lim
Vice President
CTSI Logistics Guam

March 20, 2025

Honorable Jesse A. Lujan

Chairperson, Committee on Transportation, Tourism, Customs, Utilities, and Federal and Foreign Affairs,
38th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

RE: TESTIMONY IN **SUPPORT** OF BILL NO. 67-38 (COR) AN ACT TO REPEAL AND RE-ENACT § 1203.1 OF ARTICLE 2, TITLE 12 OF THE GUAM CODE ANNOTATED, RELEVANT TO PROVIDING AUTHORITY TO THE ANTONIO B. WON PAT INTERNATIONAL AIRPORT AUTHORITY, GUAM TO ADOPT POLICIES AND PROCEDURES FOR THE SOLICITATION, SELECTION, AND AWARD OF AGREEMENTS BETWEEN THE AUTHORITY AND ANY OTHER PARTY FOR THE USE OF THE AIRPORT FACILITIES AND PROPERTIES FOR AIRPORT PURPOSES AND/OR VISITOR RELATED ACTIVITIES

Hafa Adai Chairman Lujan and members of the Committee on Transportation, Tourism, Customs, Utilities, and Federal and Foreign Affairs. My name is Melanie Mendiola, CEO/Administrator of the Guam Economic Development Authority (GEDA), and I hereby submit this written testimony in support of Bill 67-38.

GEDA has historically supported any overall policy, bill, or legislation to extend lease terms to support economic development and would like to take this opportunity to restate a number of points to consider with regard to Bill 67-38:

1. The current five-year term limit for commercial leasing, permitting, or licensing for government real property is not clearly or adequately defined as “reasonable” as various developments hold differing requirements to come to fruition, a five-year limit on almost any real property development will almost consistently be deemed “unfeasible.”
2. Existing laws already provide for the makeup of various agencies’ directors and board members who are then legislatively confirmed and are granted authority to act in their official capacities, to include disposition or management of their respective agency assets.
3. Since the enactment of PL 32-40 in 2013 (also known as the “5 Year Law” and later amended by PL 34-99), GEDA has had firsthand experiences with foreign investors losing interest in Guam along with missed opportunities that may have generated economic activity and increased our local workforce.

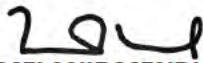
With respect to Bill 67-38 specifically, GEDA **supports** providing the Guam International Airport Authority’s (GIAA) the ability to negotiate the term limit of lease agreements from five (5) years to fifty

Bill 67-38 will allow GIAA the ability to adjust and respond quickly in taking advantage of market opportunities. As can be seen in just over the past few months, economic conditions are shifting dramatically and almost on a weekly basis. Allowing GIAA up to 50 years for lease terms on their real property assets will undoubtedly afford a more attractive investment opportunity for many and more potential investors.

While Guam's tourism industry essentially begins with GIAA, it also would be of tremendous benefit for Guam's economy to stand up other industries such as a regional aircraft maintenance hub, an expanded small aircraft flight training facility, warehousing and any number of other ancillary industries or services that could expand GIAA's financial attractiveness for investment into our island. Bill 67-38 could make this a very real possibility.

Thank you for the opportunity to provide testimony on Bill Nos. 8-38 and 15-38 as they directly affect GEDA's mission to promote and advance economic development and activity for the people of Guam.

Si Yu'os Ma'ase,


MELANIE MENDIOLA
CEO/Administrator



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WE'RE ON IT
24/7

March 20, 2025

Honorable Jesse A. Lujan
Majority Leader and Chairman
Committee on Transportation, Tourism, Customs, Utilities, and Federal and Foreign
Affairs
38th Guam Legislature
Calvo Arriola Building Suite 101-A
259 Martyr St.
Hagåtña, Guam 96910

REFERENCE: Testimony in Support of Bill No. 67-38
An Act to Repeal and Re-enact §1203.1 of Article 2, Title 12 of the Guam
Code Annotated

Buenas yan Håfa Adai Senator Lujan and Members of the Committee on Transportation,
Tourism, Customs, Utilities, and Federal and Foreign Affairs.

My name is Brian Bamba, Chairman of the Board of Directors of the Antonio B. Won Pat
Guam International Airport Authority (GIAA). On behalf of the GIAA Board of Directors,
thank you for the opportunity to submit testimony in support of Bill No. 67-38. I'd
especially like to thank you all for taking the time to engage GIAA Management and
Staff, tour our facilities, and learn the business of Guam's only Commercial airport. As
you have found, our Airport is indeed a critical component of our livelihood and
essential to all economic activity within our Region.

At GIAA, our goal is to strive for continuous improvement; you may have noticed the
ongoing work effort to upgrade airport apron infrastructure, repair damages in and out
of the terminal, and to bring our facilities to standards that exceed traveler
expectations.

Notwithstanding the challenges we face with Guam's Tourism recovery, Bill 67-38, seeks
to provide the GIAA with tools necessary to improve its commercial relationships with
Airlines, Tenants, Operators, and potential investors seeking opportunities at the
Airport. It is imperative that we seek revenue enhancement and diversification, to
improve operating metrics, and mitigate the impact of reduced passenger traffic we
currently face.

Agreements with airlines, concessionaires, and developers are the bedrock on which airport finances are built. While aeronautical revenue is our most important revenue stream, GIAA must explore other non-aeronautical revenue to provide more cost-efficient operations. The formula in simplicity aims to grow revenues, which create cost efficiency, attracting aeronautical and non-aeronautical investors, innovative entrepreneurs and concessionaires, ultimately improving the customer experience at the Airport. Under current law, 5-year term limits constrain potential larger scale investments, further limiting the economic opportunities from which the community may benefit; more investments, new industries, more jobs, and improved quality of life.

Bill 67-38 aligns with current industry business models around the world, all of which have adapted following the Covid-19 pandemic. Attracting air service and investors in airport facilities is very competitive on all fronts, while the cost of doing business and financial feasibility weigh heavily on investor consideration. Bill 67-38 creates opportunities to reduce financial risks borne by airlines, investors and concessionaires, and provide the cash flow to meet the Airport's debt obligations.

I assure you that the GIAA Board is committed to full transparency and stakeholder involvement in the development of policies and procedures, as we seek to attract new investments, creating job opportunities for our community, and diversifying our economy.

In closing, we thank this committee and strongly support Bill 67-38. The benefits are clear, economic growth, creation of new industries and jobs, increased investment in infrastructure and the ability for our Airport to effectively plan and implement projects that will greatly serve the public and the economy for decades to come.

Thank you for the introduction of Bill 67-38, and we look forward to your continued support throughout the process.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian J. Bamba". The signature is stylized with a large, sweeping loop that crosses over itself.

Brian J. Bamba
Chairman, GIAA Board of Directors



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WE'RE ON IT
24/7

March 20, 2025

Honorable Jesse A. Lujan
Chairperson, Committee on Transportation, Tourism, Customs, Utilities, and Federal and Foreign Affairs
38th Guam Legislature
Calvo Arriola Building Suite 101-A
259 Martyr St.
Hagåtña, Guam 96910

RE: Testimony in Support of Bill 67-38 – An Act Relative to Providing Authority to the Antonio B. Won Pat International Airport Authority, Guam to Adopt Policies and Procedures for the Solicitation, Selection, and Award of Agreements Between the Authority and Any Other Party for the Use of Airport Facilities and Properties for Airport Purposes and/or Visitor Related Activities

Håfa Adai Senator Lujan and Members of the Committee on Transportation, Tourism, Customs, Utilities, and Federal and Foreign Affairs. Thank you for the opportunity to submit this testimony on Bill No. 67-38 (COR) (Bill 67-38). On behalf of the Antonio B. Won Pat International Airport Authority, Guam (GIAA) and the airport community, we first want to thank you Senator Lujan and the co-sponsors of this proposed legislation—Senator Duenas, Vice Speaker Ada, Senators Barnes and Borja, Speaker Blas, Senators Salas Matanane, Parkinson, San Agustin, and Gumataotao as well as Senator Calvo—that recognizes the importance of Guam's only commercial service airport, and the need for diversifying our revenues while adding and improving upon the service offerings for our passengers and airport users.

Time is of the essence. As you are well aware, the tourism industry continues to be challenged, and recovery is a work in progress which we all are working together—both government and private sector—to improve upon. Similar to how this situation has been impacting our private sector partners, so too is the Guam Airport being financially affected.

The GIAA is in full support of Bill 67-38. GIAA is a public corporation and an autonomous instrumentality of the government of Guam that has operated for nearly 50 years as the only civilian airport with the purpose of operating and maintaining its properties and facilities for civil aviation purposes on Guam. GIAA's mission is to ensure the safety and security of the traveling public, maintain superior and reliable level of airport services, and support the development of air services and facilities which are integral to the island's economic growth.

As you may all be aware, the GIAA is mandated by both local and federal statutes and functions under the common principle that airports operate as a financially self-sustaining enterprise and is required to generate its own revenue through operating fees paid by Signatory Airlines, tenants, passengers, and users of the airport facilities and services, to pay for the costs of operating and maintaining the Airport. Bill 67-38 improves the GIAA's ability to generate additional aeronautical and non-aeronautical revenues which is paramount to the continued recovery and success of the GIAA.

Extended Lease Terms for Airport Facilities and Properties

Bill 67-38 authorizes the GIAA to lease airport facilities and properties for a period up to fifty (50) years—with concessions limited to a period of up to fifteen (15) years. I believe GIAA's position has been well documented that a longer lease period, especially when capital improvement and long-term investment is needed, would allow entities the ability to recover their investment, while remaining financially sustainable throughout the period of its commitment under the lease.

Similar to Public Law 35-114, which authorized the University of Guam to contract and lease property for an increased term—up to 30 years, the GIAA seeks similar authority to increase the ability to generate aeronautical and non-aeronautical revenues and to achieve the much-needed flexibility to spur economic development at the Airport. As a comparison, CNMI Public Law 20-84 increased the terms of public land leases for up to forty (40) years, plus an extension of 15 years, for a total of fifty-five (55) years.

The flexibility of being able to lease airport facilities and properties for a period of up to 50 years provides the GIAA the most leverage and flexibility to navigate and negotiate with interested entities, especially those that may be willing to invest over \$100 million into capital projects such as hangars, fixed based operations, maintenance, repair, and overhaul (MRO) facilities, cargo and warehousing facilities, in-flight catering facilities, and other aeronautical or non-aeronautical operations. As it relates to concessions, the GIAA believes that a period of up to 15 years would be advantageous for our ability to attract and negotiate for the different types of concession arrangements that would be in the best interest of the GIAA and its passengers and airport users, especially considering the rising construction costs that may be an impediment to this changing industry.

I note that the GIAA operates in a highly regulated environment, including the process of contracting and leasing airport facilities and properties. As a recipient of the Federal Aviation Administration (FAA) financial assistance programs, GIAA is a federally obligated airport and must agree to certain obligations and assurances¹. The GIAA must comply with such assurances as it relates to the development, leasing, and operations of airport land and buildings. First and foremost, aeronautical activities are determined to be a priority for the use of airport facilities and properties.

As an example, Assurance 38 relative to Hangar Construction by an aircraft owner at his/her expense, it states "the airport owner or operator will grant to the aircraft owner for the hangar a long-term lease that is subject to such terms and conditions on the hangar as the airport owner or operator may impose." The FAA's Airport Compliance Manual does emphasize that the lease term reasonably allows for the amortization of a tenant's investment or financing and provides a reasonable return for the tenant's development of major facilities.

With federal regulations and requirements already in place relative to airport facilities and properties, Bill 67-38 provides an avenue for increased development and investment in Airport property thereby diversifying Airport revenues and expanding economic activity in Guam and in the region. The development of and investment in airport facilities and properties and the ability for the GIAA to obtain its highest and best use of property will also contribute to the promotion of aviation and other industries and create additional jobs for our island.

Mr. Chairman and Senators, it was just on December 20th last year, that we dedicated the Tiyan Business Park as the David D. Tuncap Aviation Business Park on behalf of the GIAA's first Executive Manager who had a vision of aviation development that would spur economic growth and sustainability for not only the GIAA, but for

¹ See *FAA Airport Sponsor Assurances 5/2022* enclosed

Guam. With these extended lease provisions, we believe we will have a better opportunity to continue to achieve that vision.

Authorization to Adopt Policies and Procedures for Solicitation, Selection, and Award of Concession Agreements

Bill 67-38 also authorizes the GIAA Board of Directors to adopt policies and procedures for the solicitation, selection, and award of concession agreements. Current Guam law requires any policies and procedures to be in accordance with General Services Agency regulations. Given that concession agreements are revenue generating, Bill 67-38 is necessary to address this conflict. Additionally, current Guam law requires that only a competitive sealed bid solicitation method is authorized, which restricts the industry standard Request for Proposal (RFP) solicitation method to be utilized. Bill 67-38 also addresses this as well.

Public Law 37-23 authorized the GIAA to negotiate extension of up to three (3) years for all our current concessions. That 3-year period expires next year for many of our concessions, and time is of the essence to not only adopt these policies and procedures, but to also solicit, select, and award concessions throughout the Airport as well as work with those concessionaires with expected capital improvements where applicable.

I want to make it very clear that the GIAA intends to ensure that there is an adequate public comment period of no less than thirty (30) days and intends on fully engaging the public, airport stakeholders, and industry experts in this effort before policies and procedures are brought to a publicly noticed meeting of the GIAA Board of Directors for their review and approval.

Chairman Lujan and Honorable Senators now is a critical time in the history of Guam's only commercial airport. As we continue our recovery efforts, we must ensure that we do not lose momentum and that we also prepare for the future economic potential for Guam. Bill 67-38 provides a pathway to achieve that economic potential for Guam.

I also want to add that the FAA has reviewed Bill 67-38 and has no objection to the proposed measure as it generally promotes the airport to be self-sustaining. I have enclosed a copy of their letter with this testimony. Additionally, United Airlines—Guam's hometown carrier—has also asked us to convey their support "of increasing the current 5-year limit on contract terms to align with aviation industry standards to promote airport development and provide the [GIAA] the necessary tools to operate a cost competitive top tier facility that the Guam community deserves." They had mentioned they will be submitting written testimony to this effect soon.

Once again, on behalf of the GIAA, we thank you for this opportunity to testify and we look forward to working with this Committee to advance policies in support of continued airport development.

Sincerely,


JOHN M. QUINATA
Executive Manager

Enclosures: Letter from Federal Aviation Administration dated 03/14/2025 on Bill 67-38
FAA Airport Sponsor Assurances 5/2022



ASSURANCES

AIRPORT SPONSORS

A. General.

1. These assurances shall be complied with in the performance of grant agreements for airport development, airport planning, and noise compatibility program grants for airport sponsors.
2. These assurances are required to be submitted as part of the project application by sponsors requesting funds under the provisions of Title 49, U.S.C., subtitle VII, as amended. As used herein, the term "public agency sponsor" means a public agency with control of a public-use airport; the term "private sponsor" means a private owner of a public-use airport; and the term "sponsor" includes both public agency sponsors and private sponsors.
3. Upon acceptance of this grant offer by the sponsor, these assurances are incorporated in and become part of this Grant Agreement.

B. Duration and Applicability.

1. **Airport development or Noise Compatibility Program Projects Undertaken by a Public Agency Sponsor.**

The terms, conditions and assurances of this Grant Agreement shall remain in full force and effect throughout the useful life of the facilities developed or equipment acquired for an airport development or noise compatibility program project, or throughout the useful life of the project items installed within a facility under a noise compatibility program project, but in any event not to exceed twenty (20) years from the date of acceptance of a grant offer of Federal funds for the project. However, there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport. There shall be no limit on the duration of the terms, conditions, and assurances with respect to real property acquired with federal funds. Furthermore, the duration of the Civil Rights assurance shall be specified in the assurances.

2. **Airport Development or Noise Compatibility Projects Undertaken by a Private Sponsor.**

The preceding paragraph (1) also applies to a private sponsor except that the useful life of project items installed within a facility or the useful life of the facilities developed or equipment acquired under an airport development or noise compatibility program project shall be no less than ten (10) years from the date of acceptance of Federal aid for the project.

3. **Airport Planning Undertaken by a Sponsor.**

Unless otherwise specified in this Grant Agreement, only Assurances 1, 2, 3, 5, 6, 13, 18, 23, 25, 30, 32, 33, 34, and 37 in Section C apply to planning projects. The terms, conditions, and

- v. National Environmental Policy Act of 1969 – 42 U.S.C. § 4321, et seq.¹
- w. Wild and Scenic Rivers Act, P.L. 90-542, as amended – 16 U.S.C. § 1271, et seq.
- x. Single Audit Act of 1984 – 31 U.S.C. § 7501, et seq.²
- y. Drug-Free Workplace Act of 1988 – 41 U.S.C. §§ 8101 through 8105.
- z. The Federal Funding Accountability and Transparency Act of 2006, as amended (P.L. 109-282, as amended by section 6202 of P.L. 110-252).
- aa. Civil Rights Restoration Act of 1987, P.L. 100-259.
- bb. Build America, Buy America Act, P.L. 117-58, Title IX.

EXECUTIVE ORDERS

- a. Executive Order 11246 – Equal Employment Opportunity¹
- b. Executive Order 11990 – Protection of Wetlands
- c. Executive Order 11998 – Flood Plain Management
- d. Executive Order 12372 – Intergovernmental Review of Federal Programs
- e. Executive Order 12699 – Seismic Safety of Federal and Federally Assisted New Building Construction¹
- f. Executive Order 12898 – Environmental Justice
- g. Executive Order 13166 – Improving Access to Services for Persons with Limited English Proficiency
- h. Executive Order 13985 – Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government
- i. Executive Order 13988 – Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation
- j. Executive Order 14005 – Ensuring the Future is Made in all of America by All of America's Workers
- k. Executive Order 14008 – Tackling the Climate Crisis at Home and Abroad

FEDERAL REGULATIONS

- a. 2 CFR Part 180 – OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement).
- b. 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. ^{4, 5}
- c. 2 CFR Part 1200 – Nonprocurement Suspension and Debarment.
- d. 14 CFR Part 13 – Investigative and Enforcement Procedures.
- e. 14 CFR Part 16 – Rules of Practice for Federally-Assisted Airport Enforcement Proceedings.
- f. 14 CFR Part 150 – Airport Noise Compatibility Planning.

apply where applicable to private sponsors receiving Federal assistance under Title 49, United States Code.

- ⁴ Cost principles established in 2 CFR part 200 subpart E must be used as guidelines for determining the eligibility of specific types of expenses.
- ⁵ Audit requirements established in 2 CFR part 200 subpart F are the guidelines for audits.

SPECIFIC ASSURANCES

Specific assurances required to be included in grant agreements by any of the above laws, regulations or circulars are incorporated by reference in this Grant Agreement.

2. Responsibility and Authority of the Sponsor.

a. Public Agency Sponsor:

It has legal authority to apply for this Grant, and to finance and carry out the proposed project; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

b. Private Sponsor:

It has legal authority to apply for this Grant and to finance and carry out the proposed project and comply with all terms, conditions, and assurances of this Grant Agreement. It shall designate an official representative and shall in writing direct and authorize that person to file this application, including all understandings and assurances contained therein; to act in connection with this application; and to provide such additional information as may be required.

3. Sponsor Fund Availability.

It has sufficient funds available for that portion of the project costs which are not to be paid by the United States. It has sufficient funds available to assure operation and maintenance of items funded under this Grant Agreement which it will own or control.

4. Good Title.

- a. It, a public agency or the Federal government, holds good title, satisfactory to the Secretary, to the landing area of the airport or site thereof, or will give assurance satisfactory to the Secretary that good title will be acquired.
- b. For noise compatibility program projects to be carried out on the property of the sponsor, it holds good title satisfactory to the Secretary to that portion of the property upon which Federal funds will be expended or will give assurance to the Secretary that good title will be obtained.

5. Preserving Rights and Powers.

- a. It will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in this Grant Agreement without the written approval of the Secretary, and will act promptly to acquire, extinguish or modify any outstanding rights or claims of right of others which would interfere

7. Consideration of Local Interest.

It has given fair consideration to the interest of communities in or near where the project may be located.

8. Consultation with Users.

In making a decision to undertake any airport development project under Title 49, United States Code, it has undertaken reasonable consultations with affected parties using the airport at which project is proposed.

9. Public Hearings.

In projects involving the location of an airport, an airport runway, or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary.

Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

10. Metropolitan Planning Organization.

In projects involving the location of an airport, an airport runway, or a major runway extension at a medium or large hub airport, the sponsor has made available to and has provided upon request to the metropolitan planning organization in the area in which the airport is located, if any, a copy of the proposed amendment to the airport layout plan to depict the project and a copy of any airport master plan in which the project is described or depicted.

11. Pavement Preventive Maintenance-Management.

With respect to a project approved after January 1, 1995, for the replacement or reconstruction of pavement at the airport, it assures or certifies that it has implemented an effective airport pavement maintenance-management program and it assures that it will use such program for the useful life of any pavement constructed, reconstructed or repaired with Federal financial assistance at the airport. It will provide such reports on pavement condition and pavement management programs as the Secretary determines may be useful.

12. Terminal Development Prerequisites.

For projects which include terminal development at a public use airport, as defined in Title 49, it has, on the date of submittal of the project grant application, all the safety equipment required for certification of such airport under 49 U.S.C. § 44706, and all the security equipment required by rule or regulation, and has provided for access to the passenger enplaning and deplaning area of such airport to passengers enplaning and deplaning from aircraft other than air carrier aircraft.

13. Accounting System, Audit, and Record Keeping Requirements.

- a. It shall keep all project accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of this Grant, the total cost of the project in connection with which this Grant is given or used, and the amount or nature of that portion of the cost of the project supplied by other sources, and such other financial records pertinent to the project. The

18. Planning Projects.

In carrying out planning projects:

- a. It will execute the project in accordance with the approved program narrative contained in the project application or with the modifications similarly approved.
- b. It will furnish the Secretary with such periodic reports as required pertaining to the planning project and planning work activities.
- c. It will include in all published material prepared in connection with the planning project a notice that the material was prepared under a grant provided by the United States.
- d. It will make such material available for examination by the public, and agrees that no material prepared with funds under this project shall be subject to copyright in the United States or any other country.
- e. It will give the Secretary unrestricted authority to publish, disclose, distribute, and otherwise use any of the material prepared in connection with this grant.
- f. It will grant the Secretary the right to disapprove the sponsor's employment of specific consultants and their subcontractors to do all or any part of this project as well as the right to disapprove the proposed scope and cost of professional services.
- g. It will grant the Secretary the right to disapprove the use of the sponsor's employees to do all or any part of the project.
- h. It understands and agrees that the Secretary's approval of this project grant or the Secretary's approval of any planning material developed as part of this grant does not constitute or imply any assurance or commitment on the part of the Secretary to approve any pending or future application for a Federal airport grant.

19. Operation and Maintenance.

- a. The airport and all facilities which are necessary to serve the aeronautical users of the airport, other than facilities owned or controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by applicable Federal, state, and local agencies for maintenance and operation. It will not cause or permit any activity or action thereon which would interfere with its use for airport purposes. It will suitably operate and maintain the airport and all facilities thereon or connected therewith, with due regard to climatic and flood conditions. Any proposal to temporarily close the airport for non-aeronautical purposes must first be approved by the Secretary. In furtherance of this assurance, the sponsor will have in effect arrangements for:
 1. Operating the airport's aeronautical facilities whenever required;
 2. Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and
 3. Promptly notifying pilots of any condition affecting aeronautical use of the airport. Nothing contained herein shall be construed to require that the airport be operated for aeronautical use during temporary periods when snow, flood, or other climatic conditions interfere with such operation and maintenance. Further, nothing herein shall be construed as requiring the maintenance, repair, restoration, or replacement of any structure or

classifications such as tenants or non-tenants and signatory carriers and non-signatory carriers. Classification or status as tenant or signatory shall not be unreasonably withheld by any airport provided an air carrier assumes obligations substantially similar to those already imposed on air carriers in such classification or status.

- f. It will not exercise or grant any right or privilege which operates to prevent any person, firm, or corporation operating aircraft on the airport from performing any services on its own aircraft with its own employees (including, but not limited to maintenance, repair, and fueling) that it may choose to perform.
- g. In the event the sponsor itself exercises any of the rights and privileges referred to in this assurance, the services involved will be provided on the same conditions as would apply to the furnishing of such services by commercial aeronautical service providers authorized by the sponsor under these provisions.
- h. The sponsor may establish such reasonable, and not unjustly discriminatory, conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.
- i. The sponsor may prohibit or limit any given type, kind or class of aeronautical use of the airport if such action is necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.

23. Exclusive Rights.

It will permit no exclusive right for the use of the airport by any person providing, or intending to provide, aeronautical services to the public. For purposes of this paragraph, the providing of the services at an airport by a single fixed-based operator shall not be construed as an exclusive right if both of the following apply:

- a. It would be unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide such services, and
- b. If allowing more than one fixed-based operator to provide such services would require the reduction of space leased pursuant to an existing agreement between such single fixed-based operator and such airport. It further agrees that it will not, either directly or indirectly, grant or permit any person, firm, or corporation, the exclusive right at the airport to conduct any aeronautical activities, including, but not limited to charter flights, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity, and that it will terminate any exclusive right to conduct an aeronautical activity now existing at such an airport before the grant of any assistance under Title 49, United States Code.

24. Fee and Rental Structure.

It will maintain a fee and rental structure for the facilities and services at the airport which will make the airport as self-sustaining as possible under the circumstances existing at the particular airport, taking into account such factors as the volume of traffic and economy of collection. No part of the Federal share of an airport development, airport planning or noise compatibility project for

public at reasonable times and places a report of the airport budget in a format prescribed by the Secretary;

- b. for airport development projects, make the airport and all airport records and documents affecting the airport, including deeds, leases, operation and use agreements, regulations and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request;
- c. for noise compatibility program projects, make records and documents relating to the project and continued compliance with the terms, conditions, and assurances of this Grant Agreement including deeds, leases, agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request; and
- d. in a format and time prescribed by the Secretary, provide to the Secretary and make available to the public following each of its fiscal years, an annual report listing in detail:
 - 1. all amounts paid by the airport to any other unit of government and the purposes for which each such payment was made; and
 - 2. all services and property provided by the airport to other units of government and the amount of compensation received for provision of each such service and property.

27. Use by Government Aircraft.

It will make available all of the facilities of the airport developed with Federal financial assistance and all those usable for landing and takeoff of aircraft to the United States for use by Government aircraft in common with other aircraft at all times without charge, except, if the use by Government aircraft is substantial, charge may be made for a reasonable share, proportional to such use, for the cost of operating and maintaining the facilities used. Unless otherwise determined by the Secretary, or otherwise agreed to by the sponsor and the using agency, substantial use of an airport by Government aircraft will be considered to exist when operations of such aircraft are in excess of those which, in the opinion of the Secretary, would unduly interfere with use of the landing areas by other authorized aircraft, or during any calendar month that:

- a. Five (5) or more Government aircraft are regularly based at the airport or on land adjacent thereto; or
- b. The total number of movements (counting each landing as a movement) of Government aircraft is 300 or more, or the gross accumulative weight of Government aircraft using the airport (the total movement of Government aircraft multiplied by gross weights of such aircraft) is in excess of five million pounds.

28. Land for Federal Facilities.

It will furnish without cost to the Federal Government for use in connection with any air traffic control or air navigation activities, or weather-reporting and communication activities related to air traffic control, any areas of land or water, or estate therein as the Secretary considers necessary or desirable for construction, operation, and maintenance at Federal expense of space or facilities for such purposes. Such areas or any portion thereof will be made available as provided herein within four months after receipt of a written request from the Secretary.

- a. Using the definitions of activity, facility, and program as found and defined in 49 CFR §§ 21.23(b) and 21.23(e), the sponsor will facilitate all programs, operate all facilities, or conduct all programs in compliance with all non-discrimination requirements imposed by or pursuant to these assurances.
- b. Applicability
 - 1. Programs and Activities. If the sponsor has received a grant (or other federal assistance) for any of the sponsor's program or activities, these requirements extend to all of the sponsor's programs and activities.
 - 2. Facilities. Where it receives a grant or other federal financial assistance to construct, expand, renovate, remodel, alter, or acquire a facility, or part of a facility, the assurance extends to the entire facility and facilities operated in connection therewith.
 - 3. Real Property. Where the sponsor receives a grant or other Federal financial assistance in the form of, or for the acquisition of real property or an interest in real property, the assurance will extend to rights to space on, over, or under such property.

c. Duration.

The sponsor agrees that it is obligated to this assurance for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the assurance obligates the sponsor, or any transferee for the longer of the following periods:

- 1. So long as the airport is used as an airport, or for another purpose involving the provision of similar services or benefits; or
 - 2. So long as the sponsor retains ownership or possession of the property.
- d. Required Solicitation Language. It will include the following notification in all solicitations for bids, Requests For Proposals for work, or material under this Grant Agreement and in all proposals for agreements, including airport concessions, regardless of funding source:

"The ([**Selection Criteria: Sponsor Name**]), in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders or offerors that it will affirmatively ensure that for any contract entered into pursuant to this advertisement, [select businesses, or disadvantaged business enterprises or airport concession disadvantaged business enterprises] will be afforded full and fair opportunity to submit bids in response to this invitation and no businesses will be discriminated against on the grounds of race, color, national origin (including limited English proficiency), creed, sex (including sexual orientation and gender identity), age, or disability in consideration for an award."

e. Required Contract Provisions.

- 1. It will insert the non-discrimination contract clauses requiring compliance with the acts and regulations relative to non-discrimination in Federally-assisted programs of the Department of Transportation (DOT), and incorporating the acts and regulations into the contracts by reference in every contract or agreement subject to the non-discrimination in Federally-assisted programs of the DOT acts and regulations.

project that would otherwise be eligible for grant funding or any permitted use of airport revenue.

- b. For land purchased under a grant for airport development purposes (other than noise compatibility), it will, when the land is no longer needed for airport purposes, dispose of such land at fair market value or make available to the Secretary an amount equal to the United States' proportionate share of the fair market value of the land. That portion of the proceeds of such disposition which is proportionate to the United States' share of the cost of acquisition of such land will, upon application to the Secretary, be reinvested or transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order:
 - 1. Reinvestment in an approved noise compatibility project;
 - 2. Reinvestment in an approved project that is eligible for grant funding under 49 U.S.C. § 47117(e);
 - 3. Reinvestment in an approved airport development project that is eligible for grant funding under 49 U.S.C. §§ 47114, 47115, or 47117;
 - 4. Transfer to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport; or
 - 5. Payment to the Secretary for deposit in the Airport and Airway Trust Fund.
- c. Land shall be considered to be needed for airport purposes under this assurance if (1) it may be needed for aeronautical purposes (including runway protection zones) or serve as noise buffer land, and (2) the revenue from interim uses of such land contributes to the financial self-sufficiency of the airport. Further, land purchased with a grant received by an airport operator or owner before December 31, 1987, will be considered to be needed for airport purposes if the Secretary or Federal agency making such grant before December 31, 1987, was notified by the operator or owner of the uses of such land, did not object to such use, and the land continues to be used for that purpose, such use having commenced no later than December 15, 1989.
- d. Disposition of such land under (a), (b), or (c) will be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with operation of the airport.

32. Engineering and Design Services.

If any phase of such project has received Federal funds under Chapter 471 subchapter 1 of Title 49 U.S.C., it will award each contract, or sub-contract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping or related services in the same manner as a contract for architectural and engineering services is negotiated under Chapter 11 of Title 40 U.S.C., or an equivalent qualifications-based requirement prescribed for or by the sponsor of the airport.

33. Foreign Market Restrictions.

It will not allow funds provided under this Grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by

39. Competitive Access.

- a. If the airport owner or operator of a medium or large hub airport (as defined in 49 U.S.C. § 47102) has been unable to accommodate one or more requests by an air carrier for access to gates or other facilities at that airport in order to allow the air carrier to provide service to the airport or to expand service at the airport, the airport owner or operator shall transmit a report to the Secretary that:
 1. Describes the requests;
 2. Provides an explanation as to why the requests could not be accommodated; and
 3. Provides a time frame within which, if any, the airport will be able to accommodate the requests.
- b. Such report shall be due on either February 1 or August 1 of each year if the airport has been unable to accommodate the request(s) in the six month period prior to the applicable due date.



U.S. Department
of Transportation
**Federal Aviation
Administration**

Western-Pacific Region
Honolulu Airports District Office

300 Ala Moana Blvd. Rm. 7-128
Honolulu, HI 96850
MAIL Box 50244
Honolulu, HI 96850-0001
Telephone (808) 312-6028
FAX (808) 312-6048

March 14, 2025

Mr. John Quinata
Executive Manager
A.B. Won Pat International Airport Authority
PO Box 8770
Tamuning, Guam 96931

**A.B. Won Pat International Airport Authority
Guam Bill 67-38 (COR)**

Dear Mr. Quinata:

Thank you for forwarding us a copy of Bill 67-38 (COR) that proposes to repeal and re-enact § 1203.1 of Article 2, Title 12 of the Guam Code annotated, relative to providing authority to the A.B. Won Pat International Airport Authority to adopt policies and procedures for the solicitation, selection and award of agreements between the Authority and any other party for the use of airport facilities and properties for airport purposes and/or visitor related activities.

The FAA has no objection to the proposed bill, specifically removal of the 5-year clause, as it generally promotes the airport to be self-sustaining.

FAA Grant Assurance No. 24 Fee and Rental Structure, requires an airport sponsor to maintain a fee and rental structure for the facilities and services at the airport which will make the airport as self-sustaining as possible. Long term leases are typically required on both aeronautical and non-aeronautical leases to allow the lessee to obtain financial guarantees.

Please let us know if you have any questions.

Sincerely,

Gordon K. Wong
Manager, Honolulu Airports District Office

March 23, 2025

THE HONORABLE JESSE A. LUJAN
Chairman, Committee on Transportation, Tourism,
Customs, Utilities, and Federal & Foreign Affairs
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

RE: BILL NO. 67-38 – *Relative to providing authority to the Antonio B. Won Pat International Airport Authority to adopt policies and procedures for the solicitation, selection, and award of agreements between the Authority and other parties for the use of airport facilities and properties for airport purposes and/or visitor related activities*

Hafa Adai Chairman Lujan and Members of the Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs,

On behalf of the Guam Chamber of Commerce, I write to express our general support for Bill No. 67-38 (COR), which aims to repeal and re-enact § 1203.1 of Article 2, Title 12 of the Guam Code Annotated. This legislation is crucial for empowering the Antonio B. Won Pat International Airport Authority (GIAA) to adopt policies and procedures for the solicitation, selection, and award of agreements related to the use of airport facilities and properties.

GIAA is Guam's sole commercial airport and plays a pivotal role in the island's economic health and welfare. It is a vital hub for tourism, which is a significant sector of Guam's economy. The slow recovery of visitor arrivals following the pandemic has significantly impacted GIAA's financial stability, making revenue diversification an urgent priority. Every delay in extending lease terms puts GIAA at a disadvantage, preventing it from attracting long-term investments that enhance Guam's tourism infrastructure and economic resilience.

Longer lease agreements provide investors with the security needed to commit substantial resources to projects that support both the tourism and transportation industries. Without swift legislative action, GIAA risks losing valuable opportunities to strengthen its operations, support local businesses, and boost Guam's competitiveness as a premier travel destination.

Bill No. 67-38 (COR) enables GIAA to immediately enter the market with a compelling sales pitch to potential investors, allowing the airport to secure much-needed commitments that will drive economic recovery. The bill will grant GIAA the authority to establish more efficient processes for managing concession agreements, including retail, food and beverage services, advertising, and vehicle rentals. Greater flexibility in lease terms could allow GIAA to adapt to changing market conditions, enhance traveler experiences, and support local businesses.

Concerns and Recommendations

While granting GIAA more authority could streamline processes, it also raises concerns about transparency and fairness. Currently, legislative oversight provides checks and balances on how the airport manages its agreements. Without these checks, there is a risk that decisions may not always be in the best interest of the public.

Transparency and Fairness: To ensure that decisions are fair and transparent, we recommend that GIAA be required to submit annual reports to the Legislature detailing all lease agreements awarded, financial performance, and any changes to concession policies. Additionally, all leases should be awarded *through a publicly announced, open, competitive bidding process* with clearly defined evaluation criteria. Bid results should be publicly available, and an independent third party should review selections to prevent conflicts of interest.

Protection of Existing Tenants: The bill does not provide clear protections for businesses already operating at the airport. To address this, existing tenants *in good standing* should be granted a *right of first refusal* for lease renewals, ensuring businesses that have invested in their airport locations are not unfairly displaced. This will help maintain the diversity of services and support local economic development.

Compliance with Federal Regulations: GIAA should be required to *obtain FAA certification of compliance* before implementing new lease policies, ensuring alignment with federal regulations and preventing legal challenges.

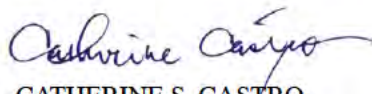
Financial Impact Assessment: No changes under this bill should be implemented *until a comprehensive fiscal impact study* is conducted and publicly reviewed, ensuring that the proposed changes will *increase financial stability* rather than introduce unintended costs. This will help determine whether the changes will bring in more revenue or lead to unexpected costs that might be passed on to businesses and passengers.

Oversight and Accountability: To prevent mismanagement or conflicts of interest, independent oversight, and mandatory audits should be established. This will ensure that decisions are made in the best interest of the public and that any issues are promptly addressed.

In conclusion, Bill No. 67-38 (COR) has the potential to strengthen the financial stability and operational efficiency of our island's only commercial airport. By granting the GIAA the authority to manage concession and lease agreements effectively while incorporating measures that ensure transparency, fairness, and accountability, this legislation could enhance economic vitality and the growth of Guam's tourism industry and possibly improve the overall economic well-being of the island.

Thank you for the opportunity to present our views and comments on this bill. We stand by to participate in any future discussions on this proposal.

Sincerely,


CATHERINE S. CASTRO
President



March 13, 2025

Unfortunately, like many small businesses, Papa's was forced to close indefinitely due to the devastating impact of the COVID-19 pandemic. Government-imposed restrictions made it impossible to operate effectively, and despite having the option to terminate our lease for relief compensation from GIAA, IT&E chose a more mutually beneficial approach by seeking a sublease agreement. This decision was made in good faith to preserve local business activity and avoid unnecessary financial burdens on the GIAA.

In July 2022, we successfully subleased our property to Capitol Kitchen (Capitol Food Group, Inc.) which now offers a vibrant social dining experience that blends diverse ethnic cuisines with the flavors of our island. They have demonstrated great resilience and potential, yet the challenges of short-term leasing remain a concern. The ability to secure long-term agreements is critical for business stability, as it directly impacts access to financing and investment opportunities. Lending institutions require leasehold properties to have sufficient remaining terms to justify loan repayment and long-term success. Unfortunately, the existing lease term of Papa's property is insufficient to support these financial requirements, which hinders growth and reinvestment in our local economy.

By supporting Bill No. 67-38 (COR), the Guam Legislature can ensure that GIAA has the authority to implement policies that create a fair and sustainable environment for businesses operating within airport properties. A well-structured, transparent process for lease agreements will not only benefit small businesses like ours but will also contribute to a thriving airport economy that supports jobs, tourism, and overall economic growth for our island.

We urge all members of the 38th Guam Legislature to support this important measure. Thank you for your leadership and commitment to policies that strengthen Guam's business community.

Respectfully,



John M. Borlas, President
IT&E Overseas, Inc.
dba Papa's
P. O. Box 24885
Barrigada, Guam 96921
[REDACTED]
671 646-1821

cc: COMMITTEE MEMBERS

JMC GUAM INC.
P.O. Box 21328
Barrigada, GU 96921

Ph: 671-642-3075

E-mail: [REDACTED]

Fax: 671-649-0079

The Honorable Jessie A. Lujan
The Honorable Christopher M. Duenas
The Honorable V. Anthony Ada
The Honorable Tina Rose Muna Barnes
The Honorable Vincent A.V. Borja
The Honorable Frank F. Blas, Jr.
The Honorable Sabrina Salas Matanane
The Honorable William A. Parkinson
The Honorable Joe S. San Agustin
The Honorable Eulogio Shawn Gumataotao
Senators, 38th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa Juan Pablo Dos
Hagatna, GU 96910

March 17, 2025

Re: Written Testimony in Support of Bill No. 67-38 (COR)

Dear Senators,

We submit this written testimony in support of Bill No. 67-38 (COR)

JMC Guam Inc. is a small business that operates as an independent food and beverage concessionaire in the A.B. Won Pat International Airport. We have enjoyed serving our departing tourists and island residents for several years, and working closely with GIAA.

We feel that this Bill would greatly help GIAA in streamlining the solicitation, selection and award of future agreements between the Authority and potential interested, qualified concession applicants.

Our market, and the economy at large, is rapidly changing. Our Airport Authority needs to be nimble and flexible enough to adapt to these ever changing market conditions. By placing policies, procedures for solicitation, selection and award of concession agreements directly in the authority of GIAA's Board of Directors, they can structure creative terms and provisions necessary to serve the best interest of our travelers, the vendors, and the Authority.

While certainly not as costly as airline operations, it is growing ever more expensive for food and beverage vendors to fully outfit a full blown restaurant. For this type of vendor, a 15 year agreement would likely be the most suitable, allowing 7.5 years to fully depreciate their investment, while allowing 7.5 more years to enjoy the profits from the operation with enough time to also absorb maintenance and equipment replacement costs.



JMC GUAM INC.
P.O. Box 21328
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Alternatively, this would also give the Authority a means to experiment or test out new innovations such as less expensive kiosks or 'pop-up' concessions, with new product offerings and innovative service methods (perhaps even robotic service) which might only need a short term agreement or a test period. Also, in times of natural disasters like Typhoon Mawar or the next pandemic, the Authority will be better situated to respond to these types of externalities with the needed flexibility, rather than being stuck with inefficient and outdated procedures.

While not 'for profit', GIAA is a business too, and it needs a reliable revenue stream. Business planning for a small business is hard enough, but it must be tenfold as difficult for a massive organization like GIAA, especially when they are constrained by laws, rules and regulations on so many levels that aren't necessarily the most productive.

The provisions for concession agreements as outlined in Bill No. 67-38 (COR) are, in our view, practical legislation that gives GIAA the flexibility to adapt to changing market conditions, innovations, and efficiency, while also meeting the needs of the vendors, ultimately for the best interest of our travelers.

Therefore, we would like to voice our support for Bill No. 67-38 (COR).

Respectfully submitted,



Matt Johnson
Managing Director

cc: GIAA



The Honorable Jesse A. Lujan

Chairman, Committee on Transportation, Tourism, Customs, Utilities, and Federal & Foreign Affairs

Office of Senator Jesse A. Lujan
259 Martyr Street
Hagatna, Guam 96910

March 18th, 2025

Subject: Letter of Support for Bill No. 67-38

Dear Chairman Lujan,

On behalf of Lotte Duty Free Guam, LLC, I am writing to express our support for Bill No. 67-38, currently under review by your esteemed Committee.

As a dedicated member of Guam's tourism industry, Lotte Duty Free Guam, LLC firmly believes that the passage of this legislation will significantly benefit the Antonio B. Won Pat International Airport Authority. By facilitating the development of a long-term strategic plan, the bill will enhance financial stability and foster economic growth in Guam. Additionally, it will help attract increased investment, including new flight routes, which will ultimately strengthen the entire tourism sector and benefit the people of Guam.

We respectfully urge you and the Committee to support Bill No. 67-38 and recommend its advancement to the Legislature.

Sincerely,



Jaejun Lee
Chief Executive Officer
LOTTE DUTY FREE GUAM, LLC



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T: 671-989-7120
F: 671-989-0025

www.lottedutyfreeguam.com



OVERSEAS, INC.

P.O. Box 24885 • Barrigada, Guam 96921 • Tel: (671) 646-1821 • Fax: (671) 646-7414

March 13, 2025

The Honorable Jesse A. Lujan

Chairman, Committee on Transportation, Tourism, Customs, Utilities, and Federal & Foreign Affairs

I Mina'trentai Ocho Na Liheslaturan Guåhan

Calvo Arriola Building Suite 101-A

259 Martyr Street, Hågatña, Guam 96910

senator.lujan@guamlegislature.gov

RE: Written Testimony in **support** of Bill No. 67-38 (COR)

On behalf of Papa's LLC, a locally owned business with deep ties to our island's hospitality industry, I write to express our **strong support** for Bill No. 67-38 (COR). This legislation will provide the Antonio B. Won Pat International Airport Authority (GIAA) with the necessary authority to establish policies and procedures that promote fair, efficient, and transparent agreements for its facilities ensuring economic opportunities for businesses like ours and strengthening Guam's position as a premier destination in the Pacific.

Papa's LLC is a business venture of IT&E Overseas, Inc., and was an extremely popular CHamoru dine-in restaurant that proudly served our community since 2011. Located on the cliffside of Airport Road, Papa's was designed with a vision: to provide Chamorro family-style fine dining experience, all while showcasing a breathtaking view of Tumon Bay. Our partners envisioned a restaurant where guests could enjoy high-quality food, exceptional service, and the beauty of our island home in one place. With over 8,000 sqft., we welcomed thousands of residents and visitors over the years, helping to grow Guam's vibrant food and hospitality scene. Our restaurant was more than just a dining experience; we were a showcase of our island's rich culinary traditions. Our executive back-of-the-house manager, a highly accomplished chef of CHamoru heritage, led a team of talented local chefs who crafted an authentic menu that resonated with both resident and visitors alike.



March 20, 2025

The Honorable Jesse A. Lujan
Calvo Arriola Building Suite 101-A
259 Martyr St.
Hågatña, Guam 96910

RE: Testimony in Favor of Bill No. 67-38 (COR)

Håfa Adai!

Honorable Chairman Lujan, Honorable Co-Vice Chairwoman Calvo, Honorable Co-Vice Chairman Dueñas, Honorable Committee Members, Airport Authority Directors and Management, and all of those among us whom you so capably serve. Good Morning! My name is Régine Biscoe Lee. I serve as president and CEO of the Guam Visitors Bureau.

Biba Mes CHamoru yan Si Yu'os Ma'åse' for welcoming me to speak on behalf of GVB's staff, and management. We are in full support of the passage of Bill No. 67-38 (COR) for the benefit of the AB Won Pat International Airport, the Guam International Airport Authority, air service partners, concessionaires, passengers, and employees.

In its present form, Bill 67 has been introduced to help Guam's only commercial airport secure the types of long-term partnerships that will benefit its operations; its air carriers and vendors; its informed, experienced, and hardworking employees; and those departing and arriving from its gates.

It has come to our attention that aviation-related businesses and in-terminal retailers who would commit substantial financial resources into leasehold improvements and operations at the airport often require long-term lease agreements to help ensure an acceptable return on these critical investments.

In the economic recovery period following the pandemic, in the aftermath of Typhoon Mawar, with the looming threat of a returning bird flu, and through the winds of austerity threatening to blow through Guam's federal programs, each of us is reminded of the critical need to think and plan ahead for every eventuality.

Our only commercial airport is no exception to the rule. Bill 67 is now before this Committee. This forward-looking legislation seeks to extend the airport's allowable lease lengths from as few as five (5) to as many as fifteen (15) years for retail, specialty retail, food and beverage, advertising, currency exchange, car rentals, and parking. It further seeks to grant GIAA the agency to negotiate terms of up to 50 years for all other contracts at airport facilities and properties in compliance with applicable Federal Aviation Administration requirements.

We appeal to you to take immediate action in support of the following two specific items:

1. Authorize the GIAA to lease airport properties for up to 50 years, and concessions for up to 15 years. Currently, the 5-year lease limitation and the uncertain process for leases longer than 5 years have stifled interest.

Lengthening allowable lease periods to the terms specified could lead to potential interest in hangar developments, aircraft maintenance, repair, and overhaul (MRO) facilities, plus freight terminals, bonded warehouses, logistical hubs, and air cargo distribution facilities. We're talking about the kinds of major infrastructural developments that typically attract upwards of 9-digit (\$100,000,000 +) investments.

Such flexibility will allow for the much-needed streamlining of freight transportation, storage, and distribution. This will ease the flow of products and commodities through the Western Pacific after years of supply chain disruption triggered by the pandemic. It will also help relieve chokepoints and open alternate routes for last-step manufacturing, packaging, and rerouting in a defense buildup era that will require increasing logistical fluidity. And it goes without saying that new competition in the broad field of commercial aviation will only contribute to job growth.

Inside the terminal where foot-traffic is heaviest, 15-year leases will attract the types of concessionaires who will be willing to pour more resources into the attraction power of their retail stores and kiosks.

2. Authorize the GIAA to promulgate policies and procedures for the solicitation, selection, and award of concession agreements. Currently, the GIAA is unable to issue competitive solicitations for concession agreements. Authorizing the GIAA Board to adopt such policies and procedures will advance GIAA's concession program to include food and beverage, retail, rental car, advertising, credit card lounges, newsstands and convenience stores, souvenir shops, and other businesses. With the GIAA Board empowered to adopt the necessary policies and procedures, GIAA will be able to issue competitive solicitations including Requests for Proposals (RFPs) and Invitation for Bids (IFBs) for concessions. This solicitation process should be competitive and aligned with industry standards. With the 38th Guam Legislature's approval, the adoption of the aforementioned policies and procedures will help assure that it is.

Together, these authorizations will strengthen the airport's creditworthiness for decades to come.

Supported by steady, consistent incremental improvements in its own, in-house financial metrics, and utilizing assistance from the Guam Economic Development Authority and Bureau of Budget and Management Research, the GIAA has consistently achieved high demand for its investment grade revenue bonds – now rated favorably at Baa2.

Ratings agencies' stable outlook on GIAA's asset management performance indicates the high probability that our airport's credit rating will remain unchanged in the medium term.

In fact, tens of millions of dollars in airport financing is now returning rates of interest that comfortably exceed inflation for an oversubscribed pool of satisfied bondholders whose investments are committed through Fiscal Year 2043.

GIAA's high level of performance is undeniable, in spite of the codified strictures on our airport's leasing program. But the promising advent of longer leases stands to improve the airport's bond ratings, creditworthiness, and tenant-attraction power all the more.

It stands to reason that granting GIAA the freedom to negotiate substantially longer leases and mutually beneficial lease terms with prospective lessees will improve the depth, breadth, and quality of the bidding pool.

Granting GIAA the agility to offer longer, more flexible lease terms increases the probability that the most creditworthy tenants will want to do business with our airport. Large, publicly-traded corporations with longstanding records of strong financial performance seek credit tenant leases (CTL) because these agreements offer favorable financing terms and higher levels of operational and proprietary control.

Factoring more credit tenants into airport operations can contribute to the continued improvement of AB Won Pat International's bond ratings. This is because credit tenants provide stable, reliable cash flows, further reduce the risk of default, and improve the look and feel of the properties where they operate. Earning the long-term commitments of credit tenants can markedly increase investor confidence in the airport and Destination Guam and improve the financial strength of GIAA as a landlord.

Clearly, GIAA has long demonstrated its integrity as an asset manager and fiduciary in its capacity as the reliable operator of Micronesia's most vital commercial air hub. And, clearly, its successful bond issuances, sales, and performance reflect that reality.

I therefore submit that Destination Guam is past due for a more fully empowered airport with the administrative self-sovereignty owed to an agency that merits the trust of a more decentralized, more efficient government.

Longer leases will improve airport safety, security, and cash flows.

Empowering GIAA to negotiate longer leases will command the revenue our airport needs to make the best use of its own assets, improve its operations and efficiency, and reliably cover its considerable overhead costs.

Planning that far ahead is as good for sustainable businesses as it is for sustainable government.

As with any other premier airport management team, our professional airport authority juggles high fixed costs, including the safe operation of its runways, air traffic control tower, taxiways, tarmacs, terminal, and cargo loading and baggage claim areas.

And since these costs remain steep regardless of flight traffic rates and passenger volumes, it can be a tightrope to walk when balancing incoming revenue with outgoing cost.

True enough – variable costs such as utilities and maintenance can rise and fall with traffic volumes. Yet, cutting these expenses to the bone would reduce safety, security, and service quality. Coupled with creeping inflation, high industry standards don't allow much reduction, even for less predictable expenses.

Now, let us further consider the asset-management needs of airport tenants.

The availability of longer leases makes the prospect of doing business with any expertly managed airport more attractive, because these enduring agreements secure profit centers for lessees over an extended calendar without prematurely exposing profitability to the risks of:

- (A) Rapidly expiring terms,
- (B) Frequent re-bid and re-negotiation periods, and
- (C) Having to pull up short-term stakes in search of opportunity elsewhere – and away from the AB Won Pat International Airport.

For airlines, the financial advantage of predictable costs, strategic planning for fleet development and route expansion, and the wherewithal to secure a base of operations for the long haul help carriers avoid the route disruptions, administrative costs, and the complexities so often synonymous with frequent lease renewals. Long-term commitments provide carriers with a stable cost structure for airport operations. And this is crucial for budgeting and financial projections.

Furthermore, granting our airport the flexibility it needs to negotiate longer-term agreements with prospective carriers will allow it to invest more capital into infrastructure and services.

Bill 67 is about building harmony, trust, and order – while clearing the way for much-needed growth and prosperity.

It is GVB's opinion that the 15-year and 50-year lease options spelled out in Bill 67 will build trusted relationships between tenants on the one hand and airport operators on the other, while securing a gradually increasing flow of revenues through reasonable step leases that keep pace with inflation over time.

Consider an analogy homeowners can relate to. An adjustable-rate, 15-year mortgage is shorter, riskier, and costlier every month than a fixed-rate 30-year mortgage. We all know a shorter mortgage with an unpredictable interest rate means a homeowner will occasionally feel the pinch of higher monthly payments, especially during economic downturns.

So, something obvious stands to reason in Tiyan. Making future airport tenant leases flexible enough to span as many as several generations will allow airport lessees the leeway they need to tuck away cost coverage for rainy days. And this can help cushion carriers and concessionaires against years when profits fall short of projection.

GIAA already does a commendable job of servicing all aspects of airport operations. Extending the allowable length of its commercial leases will help stabilize the viability of the leasehold titles it extends to aviation businesses and concessionaires.

GVB feels strongly that giving more airlines, service operators, retailers, and food and beverage concessionaires the confidence of longer lease terms will strengthen the appeal of leasable spaces. Enhanced demand will fill available slots with the most reputable credit tenants and open more options and price competition for the benefit of travelers.

Visitors will then have more money left in their pockets to spend during their stays in Guam. And the multiplier effect will begin to take hold again.

Yes, longer lease terms will help open the way to increasing daily arrivals.

For all of these reasons and more, the Guam Visitors Bureau supports passage of Bill 67.

I ask all of you Honorable Guam Senators gathered here today and all of your distinguished colleagues in the 38th Legislature to help the airport make the highest and best use of its own real property assets by granting the Guam International Airport Authority broader license to negotiate lengthier lease terms without having to ask special permission under the strictures of shorter lease terms presently codified into Guam law.

In many ways, Guam's commercial ports of entry are the first pieces of a puzzle that make up the full picture of a modern economy. Let's give the airport the leverage it needs to make the best possible first and lasting impressions.

With that, un dǎngkulu na si Yu'os ma'åse for your time and consideration.

Senseramente,



RÉGINE BISCOE LEE
President & CEO

CC: All Senators of the 38th Guam Legislature

March 14, 2025

John A. Limtiaco Jr
17-3311 Corsair Rd
Barrigada, Guam 96913
jlimtiaco@pacifcunlimitedguam.com

Honorable Members of the 38th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, GU 96910

Subject: Testimony in Favor of Bill 67-38

Dear Honorable Members of the 38th Guam Legislature,

I am writing to express my strong support for Bill 67-38, which will provide authority to the Antonio B. Won Pat International Airport Authority, to adopt policies and procedures for the solicitation, selection, and award of agreements between the authority and any other party for the use of airport facilities and properties for airport purposes and/or visitor related activities. This bill, seeks to expand and diversify GIAA revenue stream, improve airport infrastructure by allowing public private partnerships and allow the airport to be self sustaining. As a concerned member of our community, I firmly believe that the passage of this legislation will bring significant benefits to the people of Guam.

This bill is essential because

- It addresses a critical issue affecting our island, such as limited air cargo facilities and other related aviation and tourist related businesses.
- It promotes economic growth and sustainability by being able to enter into public private partnerships to develop GIAA infrastructure, expand airport and tourist related business, create employment and allow the airport to be competitive with other regional airports.
- It ensures the financial well-being of our only commercial airport and provides vital commercial airport services to the community.

Furthermore, Bill 67-38 aligns with Guam's long-term vision of progress by fostering responsible development, ensuring government accountability, and enhancing the quality of life



for all residents. By supporting this bill, the Legislature has the opportunity to make a meaningful and lasting impact on our community.

I urge all members of the 38th Guam Legislature to vote in favor of Bill 67-38. Your leadership and dedication to the people of Guam are deeply appreciated, and I am confident that passing this bill will reflect the commitment to a better future for our island.

Thank you for your time and consideration. Please feel free to reach out if further testimony or discussion is needed.

Sincerely,



John A. Limtiaco Jr
President
Pacific Unlimited, Inc.



Aire Services LLC
353 Admiral Sherman Boulevard
Barrigada, Guam 96913

February 19, 2025

Testimony in Support of a 50-Year Lease at Guam International Airport

Dear Members of the Legislature,

My name is Roke Matanane, and I am the President of Aire Services LLC, the only locally owned flight school on Guam. I am here today to voice my strong support for the proposed bill to extend lease agreements at the Guam International Airport from the current 5-year term to a 50-year term.

As someone who has dedicated my life to aviation, my journey began right here on Guam. It was in high school that I first dreamed of becoming a pilot, and now, years later, I am proud to say that I have achieved that goal while also founding a flight school to inspire the next generation. At Aire Services LLC, our mission is to promote aviation in the region and to show our children that no dream is out of reach. This bill represents an important step toward securing a brighter future for Guam's aviation industry, economy, and youth.

The aviation sector is uniquely positioned to drive economic growth and expand opportunities on our island. With a 50-year lease option, local businesses like mine would have the stability and long-term certainty needed to make meaningful investments in infrastructure, equipment, and workforce development. This extended lease term would encourage businesses to grow and innovate, ultimately creating jobs and strengthening Guam's position as a vital hub for aviation in the Pacific region.

This bill is about giving local entrepreneurs, like myself, the tools to succeed. It is about fostering an environment where we can dream big and achieve great things, just as I have encouraged my students to do. For the sake of our economy, our community, and the next generation of aviators, I urge you to support this measure.

Respectfully,

Roke Matanane

President

Aire Services LLC.

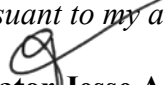


COMMITTEE VOTE SHEET

Bill No. 67-38 (COR), As amended by the Committee - Bill No. 67-38 (COR) - Jesse A. Lujan / Christopher M. Dueñas / V. Anthony Ada / Tina Rose Muña Barnes / Vincent A. V. Borja / Frank F. Blas, Jr. / Sabrina Salas Matanane / William A. Parkinson / Joe S. San Agustin / Eulogio Shawn Gumataotao - An Act To Repeal And Re-Enact §1203.1 Of Article 2, Title 12 Of The Guam Code Annotated, Relative To Providing Authority To The Antonio B. Won Pat International Airport Authority, Guam To Adopt Policies And Procedures For The Solicitation, Selection, And Award Of Agreements Between The Authority And Any Other Party For The Use Of Airport Facilities And Properties For Airport Purposes And/Or Visitor Related Activities.

Committee Members	Signature	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Jesse A. Lujan <i>Chairperson</i>		X				
Senator Christopher M. Dueñas <i>1st Vice Chairperson</i>		X				
Senator Shelly Vargas Calvo <i>2nd Vice Chairperson</i>	ABSENT					
Senator Frank F. Blas, Jr. <i>Member</i>	ABSENT					
Senator Sabrina Salas Matanane <i>Member</i>		X				
Senator Vincent A.V. Borja <i>Member</i>	ABSENT					
Senator Eulogio Shawn Gumataotao <i>Member</i>		X				
Senator Tina Rose Muña Barnes <i>Member</i>		X				
Senator Joe S. San Agustin <i>Member</i>		X				
Senator William A. Parkinson <i>Member</i>		X				

I, Senator Jesse A. Lujan, hereby certify that the votes recorded on this sheet were duly cast during the committee mark-up held on **Thursday, April 3, 2025**, in accordance with the rules and procedures governing the legislative process. I further affirm that the record herein is complete, true, and accurate to the best of my knowledge and belief. *This certification is made pursuant to my authority as Chairman and is affirmed by my signature below.*


Senator Jesse A. Lujan

Chairperson, Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs

COMMITTEE REPORT DIGEST

Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs

Senator Jesse A. Lujan, Chairman

In accordance with Section 6.04(c)(1) of the Standing Rules of *I Liheslaturan Guåhan*, this committee digest provides a *summary* of the public hearing detailed below. To assist the general public in navigating this report, please note that all [blue-highlighted](#) text contain hyperlinks. Clicking on these links will direct you to the corresponding referenced sections/documents. For any questions or assistance regarding this digest, please contact our office at (671) 969-6525 or email us at senator.lujan@guamlegislature.gov.

[Bill No. 67-38 \(COR\)](#) – Jesse A. Lujan / Christopher M. Dueñas / V. Anthony Ada / Tina Rose Muña Barnes / Vincent A. V. Borja / Frank F. Blas, Jr. / Sabrina Salas Matanane / William A. Parkinson / Joe S. San Agustin / Eulogio Shawn Gumataotao – An Act To Repeal And Re-Enact § 1203.1 Of Article 2, Title 12 Of The Guam Code Annotated, Relative To Providing Authority To The Antonio B. Won Pat International Airport Authority, Guam To Adopt Policies And Procedures For The Solicitation, Selection, And Award Of Agreements Between The Authority And Any Other Party For The Use Of Airport Facilities And Properties For Airport Purposes And/Or Visitor Related Activities.

I. OVERVIEW

Bill No. 67-38 (COR) was introduced on **[Wednesday, February 26, 2025](#)** by **Senator Jesse A. Lujan**, and was subsequently referred by the Committee on Rules to the **[Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs](#)** on **[Thursday, March 6, 2025](#)**.

The **[Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs](#)** convened a Public Hearing for Bill No. 67-38 (COR) on **[Thursday, March 20, 2025 at 9:00AM](#)** in the Guam Congress Building's Public Hearing Room.

PUBLIC NOTICE REQUIREMENTS

Public Hearing Notices were posted to the Government Public Notices Portal and disseminated via electronic mail to all senators and all main media broadcasting outlets on **Thursday, March 13, 2025** (5-Day Notice), and again on **Tuesday, March 18, 2025** (48-Hour Notice).

SENATORS PRESENT

Senator Jesse A. Lujan, Chairman, Bill Sponsor
Senator Christopher M. Dueñas, 1st Vice Chairperson
Senator Tina Rose Muña Barnes, Committee Member
Senator Eulogio Shawn Gumataotao, Committee Member
Senator William A. Parkinson, Committee Member
Senator Sabina Flores Perez
Senator Telo T. Taitague
Senator Therese M. Terlaje

ORAL TESTIMONY:

Brian Bamba, Board Chairman, GIAA
John M. Quinata, Executive Manager, GIAA
Règine Biscoe Lee, President & CEO, GVB
Akihiro Tani, Manager, Fisheye Marine Park
Baltazar Atalig, Director of Maintenance, Asia Pacific Airlines
Dr. Roseann M. Jones, Professor, UOG - School Of Business

WRITTEN TESTIMONY:

Brian Bamba, Board Chairman, GIAA
John “JQ” M. Quinata, Executive Manager, GIAA
Règine Biscoe Lee, President & CEO, GVB
Adam Ferguson, President, Asia Pacific Airlines
Casey Castro, Owner, Capitol Kitchen
Melanie Mendiola, CEO/Administrator, GEDA
Catherine Castro, President, Guam Chamber
John Borlas, President, IT&E Overseas, Inc. dba Papa’s
Matt Johnson, Managing Director, JMC Guam Inc.
Jaejun Lee, CEO, Lotte Duty Free Guam

Danny Lim, Vice President, CTSI Logistics Guam

John A. Limtiaco, Jr., President, Pacific Unlimited Inc.

Dylan Sablan, Principle, Business & Technology Academy Charter School

Joe Mesa, Executive Director, Business & Technology Endowment Foundation, Inc.

Roke Matanane, President, Aire Services LLC.

APPEARED BEFORE THE COMMITTEE:

Artemio “Ricky” Hernandez, Deputy Executive Director, GIAA

II. SUMMARY OF TESTIMONY & DISCUSSION

The public hearing for Bill No. 67-38 (COR) was called to order at [9:00AM](#).

COMMITTEE NOTE: At the request of GIAA Management, the Public Hearing was called to order at 9:00 AM, followed by an immediate five (5) minute recess to allow individuals who were en route additional time to arrive before the hearing officially commenced.

SENATOR JESSE A. LUJAN, CHAIRPERSON: Good morning again, *Mañana Si Yu’os!* The committee on Transportation, Tourism, Customs, Utilities, Federal & Foreign Affairs is back from Recess. Good morning again! Ladies and gentlemen, thank you all for being here. Today we will hear testimony on Bill 67-38 (COR) sponsored by myself, Senator Lujan, co-sponsored by Senators Dueñas, Ada, Barnes, Borja, Blas, Matanane, Parkinson, San Agustin and Gumataotao – *An Act To Repeal And Re-Enact §1203.1 Of Article 2, Title 12 Of The Guam Code Annotated, Relative To Providing Authority To The Antonio B. Won Pat International Airport Authority, Guam To Adopt Policies And Procedures For The Solicitation, Selection, And Award Of Agreements Between The Authority And Any Other Party For The Use Of Airport Facilities And Properties For Airport Purposes And/Or Visitor Related Activities*. Alongside that Bill Number 30-38 (COR) sponsored by Senator Sabina Flores Perez and co-sponsored by Senators: Ada, Barnett, Calvo, Matanane, Taitague and Terlaje – *An Act To Add A New Article 11 To Chapter 51a Of Title 10, Guam Code Annotated; And Add A New § 14104(P) To Chapter 14 Of Title 12, Guam Code Annotated, Relative To Establishing The Guam Solid Waste Authority Islandwide Collection Plan* – in that

order. At this time I would like to welcome my colleagues who are joining here this morning, my co-chair and officemate of course, Senator Chris Dueñas, Senator Sabina Perez, Senator Shawn Guamataotao and Senator Telo Taitague. Thank you for joining us this morning as well. Before we begin I'd like to remind everyone in attendance of *I Liheslaturan Guåhan's* general rules of conduct. Individuals testifying shall first be recognized by the chairperson before speaking and shall state their full name for the record. Questions and testimony shall be confined to the substance or nature of today's agenda. Personal inferences to the character or motive of any Senator or individual testifying is not permitted. Pursuant to Section 11.07 of 38th the Guam Legislature's standing rules a chairperson may order the removal from a hearing of the committee or subcommittee of any person who is not a member of *I Liheslaturan Guåhan* who fails to observe proper decorum. Any violation of this general rule of conduct will result in immediate removal from this public hearing. We will now proceed to hear of course testimony on Bill 67-38 (COR) and because I am the Bill's author I'll begin with my opening statement.

Good morning again, people of Guam and my colleagues. Today, we are talking about solutions not more government spending – not empty promises but real solutions that would drive economic growth. Bill number 67-38 (COR) is the first revenue generating bill to be heard in this term and I am proud to bring it to you forward because it's an honest, Guam cannot afford to sit back and wait for economic recovery to magically happen. We need bold decision action, we need policies that put our assets to work and create new streams of revenue and that's exactly what this bill does. The Antonio B. Won Pat International Airport Authority is not just a hub for travel, it's an economic engine. Every plane that lands, every passenger that walks through the gates, every business that operates within its facilities contribute to our economy. But for too long we have limited its abilities to fully capitalize on its potential. This bill changes that. It gives the airport the flexibility and the authority to force strategic partnerships, attract new businesses and maximize the use of its property not just for aviation but for visitor related activities that will bring in real dollars and real opportunities for the people

of Guam. This is the kind of legislation that defines leadership. We are not here to manage decline, we are here to build, we are here to grow and we are here to make sure that our economy is not just surviving but ensures that it returns and it's thriving. So let's put our island back in the path of economic strength. With that, thank you. We've got seven (7) pages full of actually people who signed up. Let me call out the ones that have signed up to give oral testimony alongside their written testimony. Former Senator John Quinata? We call you up there please. Brian Bamba, Regine Biscoe Lee. Is this you, Bic? I think this is you, Bic. Right? Come, yeah. I can't make out this name here. I'm guessing it's you?

JOHN QUINATA, GIAA GENERAL MANAGER: I think, Mr. Chair, what we'll do is we'll have our chairman and then myself and then we'll have our management team come up for questions and answers.

SENATOR JESSE A. LUJAN, BILL AUTHOR, CHAIRPERSON: Let me go ahead and read the bill before we start.

[\[Senator Lujan reads Bill No. 67-38 \(COR\) into the record\]](#)

And that being said we can hear your testimony now. We'll begin with, of course, the Chairman of the of the Board, Mr. Brian Bamba. Thank you and welcome this morning. Thank you very much.

BRIAN BAMBA, CHAIRMAN, GIAA BOARD:

[\[Mr. Bamba reads into the record his submitted written testimony which has been appended to this Committee Report.\]](#)

SENATOR JESSE A. LUJAN, BILL AUTHOR, CHAIRPERSON: Thank you, Chairman Bamba.

JOHN M. QUINATA, EXECUTIVE MANAGER, GIAA: Thank you and good morning. My name is John M. Quinata, I'm the Executive Manager for the Guam International Airport Authority.

[Mr. Quinata reads into the record his submitted written testimony which has been appended to this Committee Report.]

SENATOR JESSE A. LUJAN, BILL AUTHOR, CHAIRPERSON: Thank you much, Senator (*former*).

RÈGINE BISCOE LEE, PRESIDENT & CEO, GVB: *Si Yu'os Ma'åse,* Mr. Chair.

[Mrs. Lee reads into the record her submitted written testimony which has been appended to this Committee Report.]

SENATOR JESSE A. LUJAN, BILL AUTHOR, CHAIRPERSON: Thank you very much, Senator Biscoe Lee.

RICKY HERNANDEZ, DEPUTY EXECUTIVE DIRECTOR, GIAA: Thank you Mr. Chair and Senators of the Committee. My name is Ricky Hernandez, Deputy Executive Manager for the GIAA. I just wanted to express my support and here to provide any answers that might be necessary. Thank you.

SENATOR JESSE A. LUJAN, BILL AUTHOR, CHAIRPERSON: Thank you.

AKIHIRO TANI, MANAGER OF FISHEYE MARINE PARK: *Håfa Ådai,* good morning. My name is Akihiro Tani. I'm managing Fisheye Marine Park and also we do have a small food counter inside of airport; the name is Tentekomai, we providing Japanese noodle since 1997. If I'm not mistaken, when we start that concession area the lease time is a little longer so it motivate us to invest our

money. Currently, so that lease time is very limited and it's very difficult for small businesses to invest money or taking this opportunity. We already have food counter over there so which we can maintain, however, so we have a big good opportunity for investor who can invest money if long lease time is longer. I really support this changes so Guam airport need more finer variety of financial resource besides Federal Grant and we make it more sustainable and so we have a better opportunity. From a tourist perspective. Unfortunately, our facility airport it doesn't match with expectation contrary to all of the GIAA management they do their best, however financial resources very limited. Our service level it doesn't match with I don't think it match with International expectation. With this changes to attract a new investment maybe we can bring a lot of new concept to airport. From tourist side, one of example is like the a lot of Air flight LCC, it arriving inconvenient time. 2:00 in the morning, 3:00 in the morning, 4:00. So you might see a lot of rent-a-car parking at K-Mart or other location because tourist doesn't want to spend money for only 3 hours or 4 hours of stay at night. So then rent a car, put the suitcase, go to K-Mart parking lot and then stay until 9:00(am) and then when fish Marine Park open they drive down to Fisheye visiting observatory which is good for us, however, it's very difficult for tourist. Waiting until 3:00 in afternoon and then check in the Hotel. You know that there are so many new invention just for small cot sell so having bed and the shower and then the customer can stay on that airport if we create those facility hourly basis right so that reduce tourist stress. Currently, Guam tourism has very difficult time so as one of our optional to our company we have being very busy difficult time. It takes time, it takes effort to work as team Guam. Fortunately GVB start new management and also we do have GIAA start changing, I think we can collaborate and making team Guam and creating more better swift recovery. Thank you, thank you for giving me this opportunity.

SENATOR JESSE A. LUJAN, BILL AUTHOR, CHAIRPERSON: Thank you, Mr Tan.

BALTAZAR ATALIG, ASIA PACIFIC AIRLINES: *Buenas yan Hafa Adai. Mañana si Yu'os.* Chairman and Majority Leader Senator Lujan, Vice Chair, Chris Dueñas, Senator Salas Matanane, Senator Guamtaotao, Senator Parkinson, Senator Flores Perez, Senator Terlaje and Senator Taitague. We did submit a written testimony. I represent Asia Pacific Airlines who's been operating here in Guam since 1998 and we've been operating out of the A.B Won Pat International Airport.

[\[Mr. Atalig, on behalf of APA, gives a summary of the written testimony submitted by its President, Mr. Adam Ferguson, which has been appended to this Committee Report.\]](#)

With that said, Asia Pacific Airlines started in 1998 with one (1) 727 cargo freight aircraft. Today, we have six 757 aircrafts; four (4) in operation, one (1) currently in modification, certification and one (1) that will go into conversion in June. All of this work is being done offsite, out of the island. It is not because we do not have the talent – we have the talent – we support all these modifications, conversions, with our current talent here in Guam. However, because we do not have the facility to do this kind of work, we take our aircraft elsewhere and aside from that, we do not save money because of the manpower rate because it's just expensive to pay these manpower rates in Asia as in the US. And it's not because we don't have the talent, it's just we don't have the facility. Passing this bill would bring these types of work back to the island and I'm a very strong supporter, along with our President, to bring these work back to Guam because we do see the need of increasing our employment here as well. We have so much talent here in the island. And so, by passing this bill, we'll just elevate and dominate ourselves here in the island in the aviation industry. So thank you again on behalf of Asia Pacific Airlines, we look forward to investing and it brings music to my ears when we talk about MROs, we talk about hangar facilities, we talk about job growth. We are just so excited for it and I think this brings that into perspective. We do have the high caliber of the Board of the airport, we have the high caliber of the management of the airport, the staff of the airport, so, I think this bill will be well cared for. If I

may switch my hat as Chair of Business and Technology Charter School. First of all, I want to thank everybody here for the support of education and support of the charter school. We currently have an aviation program, one of the fewest programs in the country that actually helps kids become pilots or become aircraft mechanics. We have twenty-one (21) students currently in that program with the partnership of ID Aviation Services. We're able to get our students into these programs and save a lot of money instead of going off island to try to get their private license, we're doing that here today. So with the passage of this bill, will see us in the future as this program starts to expand to again increase our footprint in the aviation industry. So thank you, *Un Dangkol na Si Yu'os Ma'åse'* for having me speak today in support of this bill.

SENATOR JESSE A. LUJAN, BILL AUTHOR, CHAIRPERSON: Thank you very much, Mr. Atalig.

DR. ROSEANN JONES, UOG: Thank you all. I speak on behalf of the students that I see, the many students that I see that are in a workforce pipeline that see aviation as a career and I do so not just as a member of the faculty of the University of Guam but as an avid spectator of the rise of the aviation industry here and the interest of our future. I want to thank Zar for the handoff to this topic of Education. I am a member of the B tax board and we met yesterday. We at the University and in the Trades Academy and with our services, are preparing students for not only futures as aviators but also mechanics, engineers. We work with also the Civil Air Patrol at high schools. There is a huge pipeline that is waiting to fulfill the future of the workforce need here. Many of the existing jobs that are held are soon to retire out and so we look to our next generation that are very enthusiastic about filling those positions. Now here's the issue, the issue is they work on the general aviation side of GIAA and if you ever have had a chance

to tour that facility it is full of energy, full of enthusiasm, hope, optimism, hard work, dedication, of a lot of people and especially a lot of young people. It is inspiring. I encourage you to go see it. When you do, you will see that they are working under the hot sun, under tarps to fix aircraft. The facilities are woefully out of date and yet that aspiration that they have for a love of aviation and a future that is a well-paying future drives them to continue. That is what has brought me here today, the inspiration of these young people to use my voice to say see what they're doing. I am aware that there is a plan for the development of the general aviation side of the airport and it is a well developed and designed plan and its existence has been many years. At the University side, I've put together, with a team of very talented people, all dedicated, to how we raise funding to support the future of workforce development. We have applied for an FAA workforce development grant. We hope to be competitive, it is a highly competitive grant and we hope to hear positively from them if not this year in July, a future year. We are committed to getting the funding to support our students at all levels to follow these paths. Our biggest problem is while we dream and we work toward that future, one of the things that we're up against is the facilities in which they will work and we look to various private markets, we know there's private investors and when we see that there are no takers for the construction of the facilities that we need in partnership, we ask, "*Why?*" And time and time again the answer has been: "*We're willing to invest the money. It's just the years of ownership or partnership only at five years, which makes that not feasible*". So the private market is silent. The need is there. With this bill that you've proposed and which I *support* it opens up that opportunity for those private markets to meet the needs and interests of our students to give them the facilities that are top rate for their futures and we can do

this together and I'm here to answer any other questions you might have on the education side thank you so much.

SENATOR JESSE A. LUJAN, BILL AUTHOR, CHAIRPERSON: Thank you very much, Dr. Jones. Is there anybody else that wanted to give oral testimony that I missed? Okay before it we start the question let me just read...we got written testimony of course by: GIAA, Asia Pacific, IT&E, JMC Guam Inc., Lotte Guam Duty Free, Pacific Unlimited, Casey Castro, Air Services and of course Business and Technology Charter School that submitted testimony and I'm sure most quite a few more will be coming in. So now we'll ask the panel, the Committee Members, for their questions and we'll first go to of course, my Vice Chair, Senator Dueñas.

[\[Questions and Discussion\]](#) *[Begins at 57:39 and ends at 2:04:47]*

SENATOR JESSE A. LUJAN, CHAIRPERSON:

[\[Senator Lujan gives his closing statement and closes out the hearing for Bill No. 60-38 \(COR\)\]](#)

[RECESS AS COMMITTEE MOVES IN BILL NO. 30-38 (COR)]

III. FINDINGS & RECOMMENDATIONS:

The Committee ***finds*** that the Antonio B. Won Pat International Airport Authority, Guam (GIAA)—Guam’s only commercial airport and an integral part of Guam’s economic engine—has continued to be impacted by the delayed recovery of flights and passengers in our tourism sector as compared to the periods prior to the COVID-19 pandemic. The GIAA has estimated that the stalled recovery has led to revenue losses in excess of \$150 million. Notwithstanding these fiscal challenges, the GIAA has continued to remain operational 24 hours a day, 7 days a week through its prudent management of its finances and its creative long term financing strategies throughout the past several fiscal years. Bill No. 67-38 (COR) aims to unlock a long-dormant segment of the GIAA’s aeronautical and non-aeronautical

revenue stream that intends to not only improve its revenue diversification opportunities and financial position but also opens opportunities to expand Guam's economic footprint.

The Committee further finds that Bill No. 67-38 (COR) as introduced authorizes the GIAA to adopt policies and procedures for the solicitation, selection, and award of concession agreements as well as for agreements between GIAA and other parties for the use of airport facilities and properties. Additionally, the proposed legislation authorizes concession agreements for periods up to fifteen (15) years, and for other contracts for the use of GIAA facilities and properties—up to fifty (50) years. These provisions were meant to equip the GIAA with the tools it needs to attract more visitors, increase airline routes, and enhance the overall passenger experience through reducing the bureaucratic obstacles that have persisted and prevented progress at Guam's only commercial airport.

The Committee reiterates that time is of the essence and that Public Law 37-23 authorized the GIAA to negotiate extensions of concession agreements for up to an additional three (3) years from the end of the then-current terms. These extensions are expected to expire in 2026. The GIAA emphasized in its testimony that without authority to adopt policies and procedures for the solicitation, selection, and award of concession agreements these extended concession agreements may end before the GIAA can transition into new concession agreements. The Committee understands that even after the potential passage and enactment of Bill No. 67-38 (COR), the GIAA will still need to adopt the requisite policies and procedures, issue solicitations, and conduct selection and negotiations, and finalize awards—processes that may also involve necessary capital improvements for transition into newly solicited concession agreements. These processes take time to execute.

The Committee further finds that testimony for Bill 67-38 (COR) was overwhelmingly in support of the legislation as introduced. The Committee notes that in its review of testimonies submitted, comments during the public hearing, and discussion in Committee mark-up session, amendments were recommended and included in Bill 67-38 (COR) as amended by the Committee to complement the already robust transparency and accountability process inherent in the legislative confirmation hearing process for boards including the GIAA Board of Directors, the Open Government Law relative to open meetings of said Board, and

the Guam Legislature’s oversight authority over government departments and agencies including the GIAA.

The Committee added language in Bill No. 67-38 (COR) to require the GIAA to undergo a public comment period with any proposed policies and procedures or amendments thereto that Bill No. 67-38 (COR) authorizes, preparing a fiscal assessment of said policies and procedures or amendments thereto, and holding a public hearing after such sufficient public comment period prior to the GIAA Board of Directors’ adoption is critical to ensure not only the principles of transparency and accountability are heightened, but also to include and involve other aviation and industry experts and stakeholders to achieve the best possible outcome with collective and collaborative efforts. Additionally, as it relates to the adoption of policies and procedures for the solicitation, selection, and award of concession agreements, that the GIAA ensure that such process is competitive and based on industry standards, and that the GIAA fully consider the inclusion of small businesses. Furthermore, although the Committee finds that 9 GCA Chapter 64 already prohibits gambling of any kind on Guam—including within the GIAA, the Committee included language to reiterate such stance as to prohibit the same and disallows such adoption of any policies and procedures by the GIAA Board of Directors whatsoever.

The Committee further finds that language in Bill No. 67-38 (COR) already requires that the GIAA complies with all Federal Aviation Administration (FAA) requirements as indicated in the repealed and re-enacted § 1203.1(a)(2) and (3) where it explicitly requires adherence to FAA requirements for aeronautical and non-aeronautical uses to include rates charged for non-aeronautical uses at fair market value as well as the blanket requirement that any agreements between the GIAA and any other party for the use of airport facilities and properties be subject to applicable federal laws and regulations. Attached to the GIAA’s testimony was the FAA’s review of Bill No. 67-38 (COR) indicating that the FAA has no objection to the proposed legislation as it generally promotes the airport to be self-sustaining. Additionally, the Committee notes that the GIAA undergoes financial and federally required audits managed by the Office of Public Accountability on an annual basis and has received unmodified (clean) opinions over the past several years.

The Committee ***concludes*** that for the reasons identified herein and the amendments included thereto, that Bill No. 67-38 (COR) As Amended by the

Committee fully considers the overwhelming support gathered while balancing the concerns identified during and subsequent to the public hearing as well as during the proposed legislation's Committee mark-up session.

The Committee on Transportation, Tourism, Customs, Utilities, and Federal and Foreign Affairs *therefore* reports out Bill No. 67-38 (COR) As Amended by the Committee on Transportation, Tourism Customs, Utilities, and Federal and Foreign Affairs – Jesse A. Lujan, Christopher M. Duenas, V. Anthony Ada, Tina Rose Muna Barnes, Vincent A.V. Borja, Frank F. Blas, Jr., Sabrina Salas Matanane, William A. Parkinson, Joe S. San Agustin, and Eulogio Shawn Gumataotao “An Act To Repeal And Re-Enact § 1203.1 Of Article 2, Title 12 Of The Guam Code Annotated, Relative To Providing Authority To The Antonio B. Won Pat International Airport Authority, Guam To Adopt Policies And Procedures For The Solicitation, Selection, And Award Of Agreements Between The Authority And Any Other Party For The Use Of Airport Facilities And Properties For Airport Purposes And/Or Visitor Related Activities” with the recommendation TO DO PASS.

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 67-38 (COR)

Introduced by:

Jesse A. Lujan
Christopher M. Dueñas
V. Anthony Ada
Tina Rose Muña Barnes
Vincent A.V. Borja
Frank F. Blas, Jr.
Sabrina Salas Matarane
William A. Parkinson
Joe S. San Agustin
Eulogio Shawn Gumataotao

**AN ACT TO REPEAL AND RE-ENACT § 1203.1 OF
ARTICLE 2, TITLE 12 OF THE GUAM CODE
ANNOTATED, RELATIVE TO PROVIDING
AUTHORITY TO THE ANTONIO B. WON PAT
INTERNATIONAL AIRPORT AUTHORITY, GUAM TO
ADOPT POLICIES AND PROCEDURES FOR THE
SOLICITATION, SELECTION, AND AWARD OF
AGREEMENTS BETWEEN THE AUTHORITY AND
ANY OTHER PARTY FOR THE USE OF AIRPORT
FACILITIES AND PROPERTIES FOR AIRPORT
PURPOSES AND/OR VISITOR RELATED ACTIVITIES**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds
that the A.B Won Pat International Airport Authority, Guam (the “GIAA”) is
Guam’s only commercial service airport and contributes substantially to the
economic health and welfare of Guam’s economy. The GIAA plays an important

1 role in the local, regional, and international air transportation system as the largest
2 airport in Micronesia and is vital for the continued recovery of the tourism industry
3 on Guam.

4 *I Liheslaturan Guåhan* further finds that allowing the GIAA to expand and
5 diversify its revenue stream is fundamental to its ability to continue to operate a safe,
6 secure, and efficient commercial airport for Guam, its residents, and visitors. And
7 that one of the largest non-aeronautical revenue streams any airport generates is from
8 its concession agreements, which also provides vital business and customer focused
9 services for the traveling public.

10 In consideration of the GIAA's mandate to be self-sustaining, *I Liheslaturan*
11 *Guåhan* further finds that providing the GIAA the efficient ability to establish
12 processes for the solicitation, selection, and award of agreements between the
13 Authority and any other party for the use of airport facilities and properties for
14 airport purposes and/or visitor related activities will provide the best opportunity to
15 achieve continued financial growth and stability through revenue expansion and
16 diversification to further solidify the GIAA's financial position and to ensure the
17 GIAA's ability to keep up with industry standards, best practices, and changing
18 market conditions so that it can continue to provide the vital commercial airport
19 services to the traveling public.

20 **Section 2.** Section 1203.1, Article 2, Chapter 1, Title 12 of the Guam Code
21 Annotated is hereby *repealed* and *re-enacted* to read:

22 ~~“§ 1203.1. Agreements Between ABWPGIAA and Concessions, Other~~
23 ~~Businesses and Service Providers; Agreements Between ABWPGIAA and~~
24 ~~Airlines.~~

25 (a) ~~Any agreement between the ABWPGIAA and any other party~~
26 ~~concerning the operation of a concession, other business or a service~~
27 ~~provider at ABWPGIAA shall conform to the following:~~

1 ~~(1) allow for an exclusive right to sell certain goods or~~
2 ~~provide certain services only after a competitive proposal~~
3 ~~procedure, according to the General Services Administration rules~~
4 ~~and regulations, and for a duration of no longer than five (5) years~~
5 ~~(Any exclusive right for a duration of longer than five (5) years~~
6 ~~shall be given by the ABWPGIAA to any party only upon~~
7 ~~subsequent approval by the Legislature by statute.);~~

8 ~~(2) criteria established for the operation of a concession,~~
9 ~~other business or service provider at the ABWPGIAA, which~~
10 ~~criteria shall be reviewed at a public hearing held within ninety (90)~~
11 ~~days of the effective date of this Section, and held in accordance~~
12 ~~with the Administrative Adjudication Law; and~~

13 ~~(3) not be extended in duration or otherwise modified, unless~~
14 ~~the extension or other modification conforms to the requirements~~
15 ~~of this Section (Notwithstanding the forgoing sentence, the~~
16 ~~exclusive concessionaire agreement between the ABWPGIAA and~~
17 ~~DFS, in effect on the effective date of this Section, modified by a~~
18 ~~memorandum of understanding, shall be modified again, but not~~
19 ~~extended in duration of term, pursuant to the cooperative efforts of~~
20 ~~the parties to reach a mutual understanding in the best interests of~~
21 ~~the People of Guam.)~~

22 ~~(4) in order to maximize local participation in concession~~
23 ~~businesses at the ABWPGIAA, the ABWPGIAA shall abide by the~~
24 ~~competitive bid process, to the extent consistent with good business~~
25 ~~practice, and make available the maximum number of opportunities~~
26 ~~for local businesses to provide concession goods and services at the~~
27 ~~ABWPGIAA.~~

1 ~~(b) Any agreement between ABWPGIAA and any airline offering~~
2 ~~service to Guam shall charge the airline using the ABWPGIAA air~~
3 ~~terminal facilities rates sufficient to cover the operating expenses of the~~
4 ~~air terminal and debt service coverage of the bonds authorized to be issued~~
5 ~~by this Section, and be in compliance with the requirement that no one (1)~~
6 ~~or more airlines shall be unreasonably discriminated against in~~
7 ~~comparison with any other airline in these charges.~~

8 ~~(c) Notwithstanding any other provision of law, the ABWPGIAA~~
9 ~~is authorized to enter into individual leases or agreements with those~~
10 ~~tenants currently operating food and beverage concessions at the~~
11 ~~ABWPGIAA as of February 28, 2001, for a period or term not to exceed~~
12 ~~two (2) years from January 1, 2002 under terms and conditions agreed~~
13 ~~upon between ABWPGIAA and the tenants; provided, however, this~~
14 ~~Section does not authorize an extension or renewal of any existing Master~~
15 ~~Food and Beverage Concession Agreement or lease.~~

16 ~~(d) Notwithstanding Subsection (a) of this Section, the~~
17 ~~ABWPGIAA is authorized to enter into an agreement to extend the~~
18 ~~current exclusive DFS Concession Agreement one (1) time only for a~~
19 ~~period or term not to exceed two (2) years from January 20, 2002. Any~~
20 ~~such agreement shall still be subject to approval by I Liheslaturan Guåhan,~~
21 ~~and shall provide that annual payment during the period of the extension~~
22 ~~shall be no less than the sum of Eight Million Dollars (\$8,000,000), or~~
23 ~~twenty percent (20%) of gross sales at the ABWPGIAA, whichever is~~
24 ~~greater, and ten percent (10%) of gross sales at non-ABWPGIAA-owned~~
25 ~~facilities where passengers are checked in for outgoing airline flights from~~
26 ~~Guam.~~

1 ~~The extension of the DFS Concession Agreement shall be submitted to I~~
2 ~~Liheslaturan Guåhan [Guam Legislature] for approval no later than September~~
3 ~~30, 2001. I Liheslaturan Guåhan [Guam Legislature] shall have forty-five (45)~~
4 ~~days upon receipt of the proposal to act on the approval or disapproval of the~~
5 ~~concessionaire agreement. Inaction by I Liheslaturan Guåhan [Guam~~
6 ~~Legislature] within the designated timeframe shall constitute approval.~~

7 **§ 1203.1. Agreements Between the Authority and Other Parties;**
8 **Agreements Between the Authority and Airlines.**

9 (a) Notwithstanding any other provision of law, including without
10 limitation, 5 GCA Chapter 5, § 5127 and Chapter 9, and 21 GCA §§
11 60112, 60114, and 60115, any agreement between the Authority and any
12 other party for the use of airport facilities and properties for airport
13 purposes and/or visitor-related activities shall conform to the following:

14 (1) with regard to concession agreements, shall be authorized
15 for a term of up to fifteen (15) years and shall be subject to policies
16 and procedures for the solicitation, selection and award of
17 concession agreements adopted from time to time by the GIAA's
18 Board of Directors. Concessions include, but are not limited to
19 retail, specialty retail, food and beverage, advertising, currency
20 exchange, car rentals, and parking; and

21 (2) with regard to all other contracts for the use of Airport
22 facilities and properties, shall be authorized for a term of up to fifty
23 (50) years and shall be subject to applicable Federal Aviation
24 Administration (FAA) requirements for aeronautical and non-
25 aeronautical uses to include rates charged for non-aeronautical uses
26 at fair market value pursuant to FAA requirements and policies and

1 procedures adopted from time to time by the GIAA's Board of
2 Directors.

3 (3) shall be subject to applicable federal laws and
4 regulations; and

5 (4) shall be subject to the Authority's bond covenants.

6 (b) Any agreement between the Authority and any airline offering
7 service to Guam shall charge the airline using the Antonio B. Won Pat
8 Guam International Air Terminal facilities rates sufficient to cover the
9 operating expenses of the air terminal and debt service coverage of the
10 bonds authorized to be issued by this Section, and be in compliance with
11 the requirement that no one (1) or more airlines shall be unreasonably
12 discriminated against in comparison with any other similarly situated
13 airline in these charges.”

14 **Section 3. Effective Date.** This Act *shall* be effective from and after its
15 enactment.

16 **Section 4. Severability.** If any provision of this Act or its application to any
17 person or circumstance is found to be invalid or contrary to law, such invalidity *shall*
18 *not* affect other provisions or applications of this Act that can be given effect without
19 the invalid provision or application, and to this end the provisions of this Act are
20 severable.

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 67-38 (COR)

As amended by the Committee on Transportation,
Tourism, Customs, Utilities and Federal & Foreign Affairs.

Introduced by:

Jesse A. Lujan
Christopher M. Dueñas
V. Anthony Ada
Tina Rose Muña Barnes
Vincent A.V. Borja
Frank F. Blas, Jr.
Sabrina Salas Matanane
William A. Parkinson
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**AN ACT TO *REPEAL AND RE-ENACT* § 1203.1 OF
ARTICLE 2, TITLE 12, GUAM CODE ANNOTATED,
RELATIVE TO PROVIDING AUTHORITY TO THE
ANTONIO B. WON PAT INTERNATIONAL AIRPORT
AUTHORITY, GUAM TO ADOPT POLICIES AND
PROCEDURES FOR THE SOLICITATION, SELECTION,
AND AWARD OF AGREEMENTS BETWEEN THE
AUTHORITY AND ANY OTHER PARTY FOR THE USE
OF AIRPORT FACILITIES AND PROPERTIES FOR
AIRPORT PURPOSES AND/OR VISITOR RELATED
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BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds
that the Antonio B. Won Pat International Airport Authority, Guam (the “GIAA”) is
Guam’s only commercial service airport and contributes substantially to the
economic health and welfare of Guam’s economy. The GIAA plays an important
role in the local, regional, and international air transportation system as the largest

1 airport in Micronesia and is vital for the continued recovery of the tourism industry
2 on Guam.

3 *I Liheslaturan Guåhan* further finds that allowing the GIAA to expand and
4 diversify its revenue stream is fundamental to its ability to continue to operate a safe,
5 secure, and efficient commercial airport for Guam, its residents, and visitors. And
6 that one of the largest non-aeronautical revenue streams any airport generates is from
7 its concession agreements, which also provides vital business and customer focused
8 services for the traveling public.

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11 processes for the solicitation, selection, and award of agreements between the
12 Authority and any other party for the use of airport facilities and properties for
13 airport purposes and/or visitor related activities will provide the best opportunity to
14 achieve continued financial growth and stability through revenue expansion and
15 diversification to further solidify the GIAA's financial position and to ensure the
16 GIAA's ability to keep up with industry standards, best practices, and changing
17 market conditions so that it can continue to provide the vital commercial airport
18 services to the traveling public.

19 **Section 2.** § 1203.1 of Article 2, Chapter 1, Title 12, Guam Code Annotated,
20 is hereby *repealed* and *re-enacted* to read:

21 ~~“§ 1203.1. Agreements Between ABWPGIAA and Concessions, Other~~
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23 ~~Airlines.~~

24 (a) ~~Any agreement between the ABWPGIAA and any other party~~
25 ~~concerning the operation of a concession, other business or a service provider~~
26 ~~at ABWPGIAA shall conform to the following:~~

1 ~~(1) allow for an exclusive right to sell certain goods or provide~~
2 ~~certain services only after a competitive proposal procedure, according~~
3 ~~to the General Services Administration rules and regulations, and for a~~
4 ~~duration of no longer than five (5) years (Any exclusive right for a~~
5 ~~duration of longer than five (5) years shall be given by the ABWPGIAA~~
6 ~~to any party only upon subsequent approval by I Liheslaturan Guåhan~~
7 ~~by statute.);~~

8 ~~(2) criteria established for the operation of a concession, other~~
9 ~~business or service provider at the ABWPGIAA, which criteria shall be~~
10 ~~reviewed at a public hearing held within ninety (90) days of the~~
11 ~~effective date of this Section, and held in accordance with the~~
12 ~~Administrative Adjudication Law; and~~

13 ~~(3) not be extended in duration or otherwise modified, unless the~~
14 ~~extension or other modification conforms to the requirements of this~~
15 ~~Section (Notwithstanding the forgoing sentence, the exclusive~~
16 ~~concessionaire agreement between the ABWPGIAA and DFS, in effect~~
17 ~~on the effective date of this Section, modified by a memorandum of~~
18 ~~understanding, shall be modified again, but not extended in duration of~~
19 ~~term, pursuant to the cooperative efforts of the parties to reach a mutual~~
20 ~~understanding in the best interests of the People of Guam.)~~

21 ~~(4) in order to maximize local participation in concession businesses~~
22 ~~at the ABWPGIAA, the ABWPGIAA shall abide by the competitive bid~~
23 ~~process, to the extent consistent with good business practice, and make~~
24 ~~available the maximum number of opportunities for local businesses to~~
25 ~~provide concession goods and services at the ABWPGIAA.~~

26 ~~(b) Any agreement between ABWPGIAA and any airline offering~~
27 ~~service to Guam shall charge the airline using the ABWPGIAA air terminal~~

1 facilities rates sufficient to cover the operating expenses of the air terminal
2 and debt service coverage of the bonds authorized to be issued by this Section,
3 and be in compliance with the requirement that no one (1) or more airlines
4 shall be unreasonably discriminated against in comparison with any other
5 airline in these charges.

6 (c) Notwithstanding any other provision of law, the ABWPGIAA is
7 authorized to enter into individual leases or agreements with those tenants
8 currently operating food and beverage concessions at the ABWPGIAA as of
9 February 28, 2001, for a period or term not to exceed two (2) years from
10 January 1, 2002 under terms and conditions agreed upon between
11 ABWPGIAA and the tenants; provided, however, this Section does not
12 authorize an extension or renewal of any existing Master Food and Beverage
13 Concession Agreement or lease.

14 (d) Notwithstanding Subsection (a) of this Section, the ABWPGIAA is
15 authorized to enter into an agreement to extend the current exclusive DFS
16 Concession Agreement one (1) time only for a period or term not to exceed
17 two (2) years from January 20, 2002. Any such agreement shall still be subject
18 to approval by I Liheslaturan Guåhan, and shall provide that annual payment
19 during the period of the extension shall be no less than the sum of Eight
20 Million Dollars (\$8,000,000), or twenty percent (20%) of gross sales at the
21 ABWPGIAA, whichever is greater, and ten percent (10%) of gross sales at
22 non-ABWPGIAA owned facilities where passengers are checked in for
23 outgoing airline flights from Guam.

24 The extension of the DFS Concession Agreement shall be submitted to I
25 Liheslaturan Guåhan [Guam Legislature] for approval no later than September 30,
26 2001. I Liheslaturan Guåhan [Guam Legislature] shall have forty five (45) days
27 upon receipt of the proposal to act on the approval or disapproval of the

1 ~~concessionaire agreement. Inaction by I Liheslaturan Guåhan [Guam Legislature]~~
2 ~~within the designated timeframe shall constitute approval.~~

3 **§ 1203.1. Agreements Between the Authority and Other Parties;**
4 **Agreements Between the Authority and Airlines.**

5 (a) Notwithstanding any other provision of law, including without
6 limitation, 5 GCA Chapter 5, § 5127 and Chapter 9, and 21 GCA §§ 60112,
7 60114, and 60115, any agreement between the Authority and any other party
8 for the use of airport facilities and properties for airport purposes and/or
9 visitor-related activities shall conform to the following:

10 (1) with regard to concession agreements, shall be authorized
11 for a term of up to fifteen (15) years and shall be subject to policies and
12 procedures for the competitive solicitation, selection and award of
13 concession agreements adopted from time to time by the GIAA's Board
14 of Directors. The GIAA shall ensure that said policies and procedures
15 and amendments thereto are based on industry standards, are
16 competitive in nature, and consider the inclusion of small businesses in
17 its adoption. Said policies and procedures shall not in any way authorize
18 or permit gambling of any kind as defined in 9 GCA Chapter 64. Prior
19 to adoption or any amendment of said policies and procedures by the
20 GIAA's Board of Directors, the GIAA shall prepare a fiscal assessment,
21 which shall be posted with a copy of said policies and procedures or
22 amendments thereto on its website, allow for no less than thirty (30)
23 calendar days for public comment, and hold a public hearing noticed
24 pursuant to 5 GCA § 8107 (Open Government Law) and held no sooner
25 than thirty (30) calendar days after posting of the fiscal assessment and
26 policies and procedures (or amendments thereto). Said fiscal
27 assessment shall directly address, at a minimum, the purpose and need

1 for, the financial impact upon those persons or entities directly affected
2 by, and the potential benefits expected to the GIAA by the proposed
3 policies and procedures or amendments thereto. Concessions include,
4 but are not limited to retail, specialty retail, food and beverage,
5 advertising, currency exchange, car rentals, and parking; and

6 (2) with regard to all other contracts for the use of Airport
7 facilities and properties, shall be authorized for a term of up to fifty (50)
8 years and shall be subject to applicable Federal Aviation
9 Administration (FAA) requirements for aeronautical and non-
10 aeronautical uses to include rates charged for non-aeronautical uses at
11 fair market value pursuant to FAA requirements and policies and
12 procedures adopted from time to time by the GIAA's Board of
13 Directors. The GIAA shall ensure that said policies and procedures
14 shall not in any way authorize or permit gambling of any kind as
15 defined in 9 GCA Chapter 64. Prior to adoption or any amendment of
16 said policies and procedures by the GIAA's Board of Directors, the
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23 (or amendments thereto). Said fiscal assessment shall directly address,
24 at a minimum, the purpose and need for, the financial impact upon those
25 persons or entities directly affected by, and the potential benefits
26 expected to the GIAA by the proposed policies and procedures or
27 amendments thereto.

1 (3) shall be subject to applicable federal laws and regulations;

2 and

3 (4) shall be subject to the Authority's bond covenants.

4 (b) Any agreement between the Authority and any airline offering
5 service to Guam shall charge the airline using the Antonio B. Won Pat Guam
6 International Air Terminal facilities rates sufficient to cover the operating
7 expenses of the air terminal and debt service coverage of the bonds authorized
8 to be issued by this Section, and be in compliance with the requirement that
9 no one (1) or more airlines shall be unreasonably discriminated against in
10 comparison with any other similarly situated airline in these charges."

11 **Section 3. Effective Date.** This Act shall be effective from and after its
12 enactment.

13 **Section 4. Severability.** If any provision of this Act or its application to any
14 person or circumstance is found to be invalid or inorganic, such invalidity shall not
15 affect other provisions or applications of this Act that can be given effect without
16 the invalid provision or application, and to this end the provisions of this Act are
17 severable.

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 67-38 (COR)

As amended by the Committee on Transportation,
Tourism, Customs, Utilities and Federal & Foreign Affairs.

Introduced by:

Jesse A. Lujan
Christopher M. Dueñas
V. Anthony Ada
Tina Rose Muña Barnes
Vincent A.V. Borja
Frank F. Blas, Jr.
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AN ACT TO *REPEAL AND RE-ENACT* § 1203.1 OF
ARTICLE 2, TITLE 12, ~~OF THE~~ GUAM CODE
ANNOTATED, RELATIVE TO PROVIDING
AUTHORITY TO THE ANTONIO B. WON PAT
INTERNATIONAL AIRPORT AUTHORITY, GUAM TO
ADOPT POLICIES AND PROCEDURES FOR THE
SOLICITATION, SELECTION, AND AWARD OF
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BE IT ENACTED BY THE PEOPLE OF GUAM:

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is Guam’s only commercial service airport and contributes substantially to the
economic health and welfare of Guam’s economy. The GIAA plays an important
role in the local, regional, and international air transportation system as the largest

1 airport in Micronesia and is vital for the continued recovery of the tourism industry
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11 processes for the solicitation, selection, and award of agreements between the
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14 achieve continued financial growth and stability through revenue expansion and
15 diversification to further solidify the GIAA's financial position and to ensure the
16 GIAA's ability to keep up with industry standards, best practices, and changing
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18 services to the traveling public.

19 **Section 2.** ~~§ Section~~ 1203.1 ~~of,~~ Article 2, ~~Chapter 1, Title 12, of the~~ Guam
20 Code Annotated, is hereby *repealed* and *re-enacted* to read:

21 ~~“§ 1203.1. Agreements Between ABWPGIAA and Concessions, Other~~
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1 ~~(1) allow for an exclusive right to sell certain goods or provide~~
2 ~~certain services only after a competitive proposal procedure, according~~
3 ~~to the General Services Administration rules and regulations, and for a~~
4 ~~duration of no longer than five (5) years (Any exclusive right for a~~
5 ~~duration of longer than five (5) years shall be given by the ABWPGIAA~~
6 ~~to any party only upon subsequent approval by I Liheslaturan Guåhan~~
7 ~~by statute.);~~

8 ~~(2) criteria established for the operation of a concession, other~~
9 ~~business or service provider at the ABWPGIAA, which criteria shall be~~
10 ~~reviewed at a public hearing held within ninety (90) days of the~~
11 ~~effective date of this Section, and held in accordance with the~~
12 ~~Administrative Adjudication Law; and~~

13 ~~(3) not be extended in duration or otherwise modified, unless the~~
14 ~~extension or other modification conforms to the requirements of this~~
15 ~~Section (Notwithstanding the forgoing sentence, the exclusive~~
16 ~~concessionaire agreement between the ABWPGIAA and DFS, in effect~~
17 ~~on the effective date of this Section, modified by a memorandum of~~
18 ~~understanding, shall be modified again, but not extended in duration of~~
19 ~~term, pursuant to the cooperative efforts of the parties to reach a mutual~~
20 ~~understanding in the best interests of the People of Guam.)~~

21 ~~(4) in order to maximize local participation in concession businesses~~
22 ~~at the ABWPGIAA, the ABWPGIAA shall abide by the competitive bid~~
23 ~~process, to the extent consistent with good business practice, and make~~
24 ~~available the maximum number of opportunities for local businesses to~~
25 ~~provide concession goods and services at the ABWPGIAA.~~

26 ~~(b) Any agreement between ABWPGIAA and any airline offering~~
27 ~~service to Guam shall charge the airline using the ABWPGIAA air terminal~~

1 facilities rates sufficient to cover the operating expenses of the air terminal
2 and debt service coverage of the bonds authorized to be issued by this Section,
3 and be in compliance with the requirement that no one (1) or more airlines
4 shall be unreasonably discriminated against in comparison with any other
5 airline in these charges.

6 (c) Notwithstanding any other provision of law, the ABWPGIAA is
7 authorized to enter into individual leases or agreements with those tenants
8 currently operating food and beverage concessions at the ABWPGIAA as of
9 February 28, 2001, for a period or term not to exceed two (2) years from
10 January 1, 2002 under terms and conditions agreed upon between
11 ABWPGIAA and the tenants; provided, however, this Section does not
12 authorize an extension or renewal of any existing Master Food and Beverage
13 Concession Agreement or lease.

14 (d) Notwithstanding Subsection (a) of this Section, the ABWPGIAA is
15 authorized to enter into an agreement to extend the current exclusive DFS
16 Concession Agreement one (1) time only for a period or term not to exceed
17 two (2) years from January 20, 2002. Any such agreement shall still be subject
18 to approval by I Liheslaturan Guåhan, and shall provide that annual payment
19 during the period of the extension shall be no less than the sum of Eight
20 Million Dollars (\$8,000,000), or twenty percent (20%) of gross sales at the
21 ABWPGIAA, whichever is greater, and ten percent (10%) of gross sales at
22 non-ABWPGIAA owned facilities where passengers are checked in for
23 outgoing airline flights from Guam.

24 The extension of the DFS Concession Agreement shall be submitted to I
25 Liheslaturan Guåhan [Guam Legislature] for approval no later than September 30,
26 2001. I Liheslaturan Guåhan [Guam Legislature] shall have forty five (45) days
27 upon receipt of the proposal to act on the approval or disapproval of the

1 concessionaire agreement. Inaction by the Legislature [Guam Legislature]
2 within the designated timeframe shall constitute approval.

3 **§ 1203.1-. Agreements Between the Authority and Other Parties;**
4 **Agreements Between the Authority and Airlines.**

5 (a-) Notwithstanding any other provision of law, including without
6 limitation, 5 GCA Chapter 5, § 5127 and Chapter 9, and 21 GCA §§ 60112,
7 60114, and 60115, any agreement between the Authority and any other party
8 for the use of airport facilities and properties for airport purposes and/or
9 visitor-related activities *shall* conform to the following:

10 (1-) with regard to concession agreements, *shall* be authorized
11 for a term of up to fifteen (15) years and shall be subject to policies and
12 procedures for the **competitive** solicitation, selection and award of
13 concession agreements adopted from time to time by the GIAA's Board
14 of Directors. **The GIAA shall ensure that said policies and procedures**
15 **and amendments thereto are based on industry standards, are**
16 **competitive in nature, and consider the inclusion of small businesses in**
17 **its adoption. Said policies and procedures shall not in any way authorize**
18 **or permit gambling of any kind as defined in 9 GCA Chapter 64. Prior**
19 **to adoption or any amendment of said policies and procedures by the**
20 **GIAA's Board of Directors, the GIAA shall prepare a fiscal assessment,**
21 **which shall be posted with a copy of said policies and procedures or**
22 **amendments thereto on its website, allow for no less than thirty (30)**
23 **calendar days for public comment, and hold a public hearing noticed**
24 **pursuant to 5 GCA § 8107 (Open Government Law) and held no sooner**
25 **than thirty (30) calendar days after posting of the fiscal assessment and**
26 **policies and procedures (or amendments thereto). Said fiscal**
27 **assessment shall directly address, at a minimum, the purpose and need**

1 for, the financial impact upon those persons or entities directly affected
2 by, and the potential benefits expected to the GIAA by the proposed
3 policies and procedures or amendments thereto. Concessions include,
4 but are not limited to retail, specialty retail, food and beverage,
5 advertising, currency exchange, car rentals, and parking; and

6 (2~~+~~) with regard to all other contracts for the use of Airport
7 facilities and properties, shall be authorized for a term of up to fifty (50)
8 years and shall be subject to applicable Federal Aviation
9 Administration (FAA) requirements for aeronautical and non-
10 aeronautical uses to include rates charged for non-aeronautical uses at
11 fair market value pursuant to FAA requirements and policies and
12 procedures adopted from time to time by the GIAA's Board of
13 Directors. The GIAA shall ensure that said policies and procedures
14 shall not in any way authorize or permit gambling of any kind as
15 defined in 9 GCA Chapter 64. Prior to adoption or any amendment of
16 said policies and procedures by the GIAA's Board of Directors, the
17 GIAA shall prepare a fiscal assessment, which shall be posted with a
18 copy of said policies and procedures or amendments thereto on its
19 website, allow for no less than thirty (30) calendar days for public
20 comment, and hold a public hearing noticed pursuant to 5 GCA § 8107
21 (Open Government Law) and held no sooner than thirty (30) calendar
22 days after posting of the fiscal assessment and policies and procedures
23 (or amendments thereto). Said fiscal assessment shall directly address,
24 at a minimum, the purpose and need for, the financial impact upon those
25 persons or entities directly affected by, and the potential benefits
26 expected to the GIAA by the proposed policies and procedures or
27 amendments thereto.

1 ~~(3+)~~ shall be subject to applicable federal laws and regulations;

2 and

3 ~~(4+)~~ shall be subject to the Authority's bond covenants.

4 ~~(b+)~~ Any agreement between the Authority and any airline offering
5 service to Guam shall charge the airline using the Antonio B. Won Pat Guam
6 International Air Terminal facilities rates sufficient to cover the operating
7 expenses of the air terminal and debt service coverage of the bonds authorized
8 to be issued by this Section, and be in compliance with the requirement that
9 no one (1) or more airlines shall be unreasonably discriminated against in
10 comparison with any other similarly situated airline in these charges."

11 **~~Section 3-~~ Effective Date.** This Act shall be effective from and after its
12 enactment.

13 **~~Section 4-~~ Severability.** -If any provision of this Act or its application to
14 any person or circumstance is found to be invalid or ~~inorganic~~contrary to law, such
15 invalidity shall not affect other provisions or applications of this Act that can be
16 given effect without the invalid provision or application, and to this end the
17 provisions of this Act are severable.



COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson

I Mina'trentai Ocho Na Liheslaturan Guåhan

38th Guam Legislature

March 13, 2025

To: **Rennae V. C. Meno**
Clerk of the Legislature

From: **Vice Speaker V. Anthony Ada** 
Chairperson, Committee on Rules

Subject: **Fiscal Note Waiver for Bill No. 67-38 (COR)**

Håfa Adai!

Find the attached, Fiscal Note Waiver for the following bill:

Bill No. 67-38 (COR).

I also request that the same be sent to the respective Chairperson of the Standing Committee, to which this bill has been referred. Kindly forward the same to Management Information Services (MIS) for posting on our website.





BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932



LOURDES A. LEON GUERRERO
GOVERNOR

LESTER L. CARLSON, JR.
DIRECTOR

JOSHUA F. TENORIO
LIEUTENANT GOVERNOR

MAR 12 2025

Vice Speaker V. Anthony Ada
Chairperson, Committee on Rules
I Mina'trentai Ocho Na Liheslaturan Guåhan
Thirty-Eight Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Hafa Adai, Vice Speaker Ada:

The Bureau requests that Bill No. 67-38 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

Bill No. 67-38 (COR) is an act to repeal and re-enact §1203.1 of Article 2, Chapter 1, Title 12, Guam Code Annotated, relative to providing authority to the Antonio B. Won Pat International Airport Authority (GIAA) to adopt policies and procedures for the solicitation, selection, and award of agreements for the use of airport facilities and properties for airport purposes and/or visitor-related activities. The proposed legislation intends to enhance the GIAA's ability to generate revenues through expanded concession agreements, in addition to its aeronautical revenue streams, thereby allowing the GIAA to improve its efficiency and keep up with industry standards.

According to comments received from the Executive Manager of the GIAA, if enacted, the cost to implement the proposed legislation is nominal as it pertains to the administrative expenses, particularly in comparison to the potentially significant revenue growth beginning as early as FY 2026 through the expansion of concession revenues (i.e., food, retail, duty-free, rental car services); higher lease revenues from new business developments on airport property; increased rental income from airline and non-airline tenants; and potential implementation of updated rates and charges aligned with market conditions. To put this in perspective, the GIAA reported that it generated \$46.97 million in revenues in FY 2023 to include facilities and systems usage charges (\$24.0 million), rental income (\$11.0 million), and concession fees (\$3.2 million).

The Bureau has determined that the Bill is administrative in nature and poses no additional fiscal impact upon any funds of the Government of Guam.

Senseramente,

LESTER L. CARLSON, JR.

https://www.postguam.com/news/local/bill-introduced-to-expand-airports-revenue-generating-ability/article_acce6568-f58e-11ef-bad6-175260698ee9.html

Bill introduced to expand airport's revenue generating ability

JOHN O'CONNOR | THE GUAM DAILY POST

FEB 28, 2025



Jesse Lujan



GIAA: The Antonio B. Won Pat International Airport in Tamuning is shown on Thursday, Jan. 16, 2025. *Frank San Nicolas/The Guam Daily Post*

Sen. Jesse Lujan has introduced Bill 67-38, which would grant the A.B. Won Pat International Airport Authority the power to adopt policies and procedures for soliciting, selecting and awarding agreements for the use of airport facilities for aviation-related or visitor-focused activities.

A release from Lujan's office stated that the measure aims to modernize and strengthen the airport authority while expanding its ability to generate revenue, particularly from non-aeronautical sources such as retail concessions, duty-free operations and premium travel services.

"Guam's airport is more than just a transportation hub; it is the front door to our island's economy," Lujan stated in the release.

“Tourism is our lifeblood, and we must equip (the airport authority) with the tools to attract more visitors, increase airline routes and enhance the overall passenger experience. This bill cuts through bureaucratic obstacles, allowing our airport to operate with the efficiency and flexibility needed to compete on a global scale,” Lujan added.

By tailoring policies to Guam’s market rather than rigid external constraints, Bill 67 would help ensure that the airport remains agile in seizing new economic opportunities, according to the release.

“Regional competitors are aggressively investing in their airports to capture more flights, travelers and tourism dollars,” Lujan stated.

“Guam must do the same. We need to streamline contract procedures, incentivize private investment and maximize commercial partnerships that enhance our island’s appeal as a world-class destination,” he added.

Bill 67 maintains strict compliance with Federal Aviation Administration regulations, ensuring that all agreements uphold fair market value and promote both aeronautical and non-aeronautical development, according to the release.

“We are not cutting corners. We are positioning Guam’s airport to thrive,” Lujan stated.

“By strengthening (the airport authority’s) ability to negotiate competitive agreements, we are safeguarding local business participation and creating a more resilient tourism industry,” he added.

Cosponsors include Speaker Frank Blas Jr., Vice Speaker Tony Ada and Sens. Chris Duenas, Tina Rose Muna Barnes, Vince Borja, Sabrina Matanane, William Parkinson, Joe San Agustin and Shawn Gumataotao.

John O'Connor
