

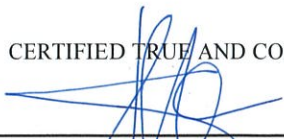
I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2026 (SECOND) Regular Session
VOTING RECORD

Bill No. 338-38 (COR) As amended by the Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections and Retirement.	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building October 16, 2026					
NAME	Yea	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Vice Speaker V. Anthony Ada	✓					
Senator Chris Barnett	✓					
Speaker Frank F. Blas, Jr.	✓					
Senator Vincent A.V. Borja	✓					
Senator Shelly V. Calvo	✓					
Senator Christopher M. Dueñas	✓					
Senator Eulogio Shawn Gumataotao	✓					
Senator Jesse A. Lujan	✓					
Senator Tina Rose Muña-Barnes	✓					
Senator William A. Parkinson	✓					
Senator Sabina Flores Perez	✓					
Senator Sabrina Salas Matanane	✓					
Senator Joe S. San Agustin	✓					
Senator Telo T. Taitague	✓					
Senator Therese M. Terlaje	✓					

TOTAL

15	0				
Yea	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused

CERTIFIED TRUE AND CORRECT:



 RENNAE V.C. MENO
 Clerk of the Legislature

I = Pass

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

Bill No. 338-38 (COR)

As amended by the Committee on Economic Investment,
Military Buildup, Regional Relations, Technology,
Regulatory Affairs, Justice, Elections, and Retirement.

*

Introduced by:

Telo T. Taitague
Jesse A. Lujan

**AN ACT TO *ADD* A NEW § 10115 TO ARTICLE 1 OF
CHAPTER 10, TITLE 12, GUAM CODE ANNOTATED;
AND TO *ADD* A NEW § 70.470 TO ARTICLE 4 OF
CHAPTER 70, TITLE 9, GUAM CODE ANNOTATED,
RELATIVE TO PROHIBITING UNAUTHORIZED
UNMANNED AIRCRAFT OPERATIONS AT
DESIGNATED PORT AUTHORITY OF GUAM
PROTECTED CRITICAL INFRASTRUCTURE
FACILITIES AND ESTABLISHING PENALTIES FOR
VIOLATIONS THEREOF.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

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

I Liheslaturan Guåhan further finds that unauthorized unmanned aircraft operations over or near Port facilities may present serious risks, including disruption

1 of cargo operations, interference with security and communications systems,
2 unauthorized surveillance, delivery of harmful payloads, damage to equipment, and
3 threats to public safety, homeland security, and emergency response capabilities.

4 It is the intent of *I Liheslaturan Guåhan* to establish a clear and limited
5 prohibition against unauthorized unmanned aircraft operations over designated Port
6 Authority of Guam facilities, while allowing appropriate exemptions for law
7 enforcement, emergency response, the United States Government, Port-authorized
8 operations, and other lawful operations permitted under this Act.

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

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

18 **Section 2.** A new § 10115 is *added* to Article 1 of Chapter 10, Title 12,
19 Guam Code Annotated, to read as follows:

20 **“§ 10115. Unmanned Aircraft Operations at Port Authority of**
21 **Guam Protected Critical Infrastructure Facilities.**

22 (a) Definitions.

23 (1) “Protected Critical Infrastructure Facility” or PCIF means
24 a facility owned, operated, managed, or controlled by the Port Authority
25 of Guam that has been designated and published pursuant to this
26 Section and that constitutes critical infrastructure whose disruption
27 could impair the provision of maritime transportation services, threaten

1 public health or public safety, or adversely affect homeland security or
2 national security, or emergency response capabilities. Protected Critical
3 Infrastructure Facilities shall be limited to:

4 (A) Commercial Port terminals;

5 (B) Container yards, cargo handling facilities, and
6 intermodal freight facilities;

7 (C) Port operations, dispatch, communications,
8 security, and emergency management centers;

9 (D) Wharves, piers, berths, fuel transfer facilities, and
10 maritime support infrastructure under the jurisdiction of the Port
11 Authority of Guam;

12 (E) Other Port Authority facilities specifically
13 designated and published pursuant to subsection (b).

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

25 (3) “Payload” means any instrument, mechanism, equipment,
26 part, apparatus, object, or accessory, including communications
27 equipment, data-collection devices, or physical cargo, that is installed

1 in, affixed to, or carried by an unmanned aircraft, and is not used or
2 intended to be used in the direct propulsion, flight control, or basic safe
3 operation of the aircraft.

4 (b) Designation and Publication of Restricted Critical Infrastructure
5 Areas.

6 (1) The Port Authority of Guam may designate facilities under
7 its ownership, operation, management, or control as Protected Critical
8 Infrastructure Facilities upon a written determination by the General
9 Manager with the concurrence by its Board of Directors through a duly
10 adopted board resolution, that the facility constitutes critical
11 infrastructure and that unauthorized unmanned aircraft operations
12 present a credible risk of:

13 (A) disruption of maritime transportation services;

14 (B) disruption of cargo operations, logistics operations,
15 or critical supply chain functions;

16 (C) damage to Port infrastructure, interference with
17 security systems (CCTV, Radar Intrusion Systems), VHF-UHF
18 radio communications systems;

19 (D) Surveillance and Espionage beyond Visual Line of
20 Sight (BVLOS);

21 (E) Cyber-Physical Manipulation (Interception,
22 disruption, hacking of local WI-FI, GPS, and communication
23 networks);

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

25 (G) disruption of emergency response capabilities;

26 (H) homeland security risks; or

27 (I) national security risk.

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

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

14 (4) Notwithstanding any other provision of law, vulnerability
15 assessments, threat assessments, security plans, emergency response
16 plans, cybersecurity assessments, infrastructure protection studies,
17 designation memoranda, and other documents prepared or maintained
18 for the purpose of designating, protecting, or securing a Protected
19 Critical Infrastructure Facility shall be confidential and exempt from
20 public disclosure to the fullest extent permitted by law.

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

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

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

6 (8) The Port Authority of Guam shall also post and maintain
7 signs at reasonable and conspicuous locations at each designated
8 facility stating that unauthorized unmanned aircraft operations are
9 prohibited by law and providing information on where the public may
10 access the current map of designated facilities and restricted areas.

11 (c) Restricted Operations. Unmanned aircraft operations prohibited
12 pursuant to subsection (g) of this Section shall be prohibited within Restricted
13 Critical Infrastructure Areas.

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

15 (1) A law enforcement agency, emergency medical service
16 agency, hazardous materials response team, disaster management
17 agency, or other emergency management agency for the purpose of
18 incident command, area reconnaissance, personnel and equipment
19 deployment monitoring, training, or other lawful governmental
20 purposes in Guam;

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

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

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

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

6 (B) The unmanned aircraft is registered with the Federal
7 Aviation Administration when registration is required by federal
8 law;

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

11 (D) The operator possesses any license, certificate,
12 waiver, authorization, or approval required by the Federal
13 Aviation Administration (FAA) for the operation being
14 conducted; and

15 (E) The operator complies with the notification
16 requirements of subsection (e) of this Section.

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

21 (e) Notification Requirements for Commercial Operations in
22 Restricted Critical Infrastructure Areas.

23 (1) The operator of an unmanned aircraft conducting
24 operations within a Restricted Critical Infrastructure Area shall provide
25 no less than a forty-eight (48) hour notice to the Port Authority of
26 Guam; and

27 (2) Notification shall include:

1 (A) the name, mailing address, electronic mail address,
2 and telephone number of the person providing notice;

3 (B) the name and telephone number of the unmanned
4 aircraft operator responsible for the flight;

5 (C) the applicable FAA certificate, authorization,
6 waiver, permit, or registration number;

7 (D) the Remote Identification (Remote ID) serial
8 number, if applicable or required by federal law;

9 (E) the registration number of the unmanned aircraft, if
10 applicable;

11 (F) the date, estimated start and end time and purpose
12 of the operation;

13 (G) the route of flight and area of operation within the
14 Restricted Critical Infrastructure Area; and

15 (H) the number of unmanned aircraft to operate within
16 the Restricted Critical Infrastructure Area; and

17 (3) Notification pursuant to this subsection shall be for
18 situational awareness and security purposes only and shall not be
19 construed as granting the Port Authority of Guam authority to approve,
20 deny, or restrict an otherwise lawful operation; and

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

25 (5) The notification requirements of this subsection may be
26 waived when the operation is necessary to respond to an emergency,

1 natural disaster, infrastructure failure, or other circumstance requiring
2 immediate action to protect life, property, or critical utility operations.

3 (f) Unmanned Aircraft Detection and Monitoring.

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

10 (A) Remote Identification (Remote ID) monitoring
11 systems;

12 (B) video surveillance systems;

13 (C) facility security monitoring systems;

14 (D) Incident reporting and documentation procedures;

15 and

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

18 (2) The Port Authority of Guam shall utilize available
19 monitoring and security technologies, to the extent practicable, to
20 distinguish authorized unmanned aircraft operations from unauthorized
21 operations and to support enforcement of this Act.

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

1 (4) The Port Authority of Guam is authorized to coordinate
2 with the Federal Aviation Administration, the United States Coast
3 Guard, the United States Department of Defense, federal and territorial
4 law enforcement agencies, unmanned aircraft manufacturers, and other
5 appropriate governmental or private entities for the purposes of
6 unmanned aircraft detection and monitoring, incident reporting and
7 information sharing, operational deconfliction, public awareness, and
8 the voluntary incorporation of Protected Critical Infrastructure
9 Facilities and Restricted Critical Infrastructure Areas into electronic
10 mapping, navigation, flight planning, and other emerging unmanned
11 aircraft safety technologies to the extent permitted by federal law.

12 (5) Nothing in this Section shall be construed to authorize the
13 Port Authority of Guam, its officers, employees, contractors, or agents
14 to intercept, seize control of, disable, destroy, jam, interfere with the
15 communications or navigation of, or otherwise exercise counter-
16 unmanned aircraft system authority against an unmanned aircraft,
17 except to the extent expressly authorized under applicable federal law.

18 (g) Prohibited Conduct.

19 (1) A person shall not intentionally or knowingly:

20 (A) use an unmanned aircraft within a Restricted
21 Critical Infrastructure Area with the intent to surveil, monitor,
22 collect intelligence regarding, photograph, electronically record,
23 gather evidence, collect data concerning, or otherwise obtain
24 information regarding a at a Protected Critical Infrastructure
25 Facility without written consent of the owner, or the owner's
26 designee;

1 (B) hover, loiter, circle, or otherwise maintain an
2 unmanned aircraft in a manner reasonably indicating
3 surveillance of, intelligence gathering regarding, or preparation
4 to commit an act prohibited by this Section against a Protected
5 Critical Infrastructure Facility, without lawful authority or
6 written authorization from the owner or the owner's designee;

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

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

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

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

25 **Section 3.** A new § 70.470 is *added* to Article 4 of Chapter 70, Title 9,
26 Guam Code Annotated, to read as follows:

1 **“§ 70.470. Unlawful Use of an Unmanned Aircraft at Port**
2 **Authority of Guam Critical Infrastructure; Penalties.**

3 (a) Any person convicted of violating 12 GCA §§ 10115(g)(1)(A) or
4 (g)(1)(B) shall be guilty of a misdemeanor and, upon conviction, shall be
5 punished by imprisonment for not more than one (1) year, by a fine not
6 exceeding One Thousand Dollars (\$1,000), or by both such imprisonment and
7 fine.

8 (b) Any person convicted of violating 12 GCA §§ 10115(g)(1)(C),
9 (g)(1)(D), (g)(1)(E), or (g)(1)(F) shall be guilty of a felony.

10 (c) Notwithstanding subsection (a) of this Section, a person
11 convicted of violating 12 GCA §§ 10115(g)(1)(A) or (g)(1)(B), where such
12 violation was committed with the intent to facilitate or in furtherance of a
13 violation of 12 GCA §§ 10115(g)(1)(C), (D), (E), or (F), shall be guilty of a
14 felony.

15 (d) Each flight or operation constituting a violation of 12 GCA §
16 10115(g) and punishable pursuant to this Section constitutes a separate
17 offense.”

18 **Section 4. Certification of Compliance.** No later than the effective date of
19 this Act, the General Manager of the Port Authority of Guam shall certify in writing
20 to the Speaker of *I Liheslaturan Guåhan* that the implementation requirements of
21 Section 5 of this Act have been completed or initiated, as applicable. Failure to
22 provide such certification shall not delay or otherwise affect the effective date of this
23 Act.

24 **Section 5. Effective Date and Implementation.** This Act shall take effect
25 one hundred eighty (180) days after enactment. During this period, the Port
26 Authority of Guam shall publish the map required by 12 GCA § 10115(b), install
27 signage at Protected Critical Infrastructure Facilities, and initiate reasonable public

- 1 outreach and education regarding the requirements of this Act. Public outreach and
- 2 education may continue after the effective date.