

GUAM CUSTOMS AND QUARANTINE AGENCY

FORMAL NOTICE TO STAKEHOLDERS

**COMMENCEMENT OF ASYCUDA ADMINISTRATIVE ADJUDICATION LAW RULEMAKING
PROCESS**

DATE:	September 21, 2026
TO:	All ASYCUDA Stakeholders and Interested Parties
FROM:	Director of Customs, Guam Customs and Quarantine Agency
SUBJECT:	Formal Notification of Commencement of ASYCUDA Rulemaking Under 5 GCA Chapter 9

Håfa Adai:

Please be formally advised that the Guam Customs and Quarantine Agency (CQA) is commencing the Administrative Adjudication Law (AAL) rulemaking process for the Automated System for Customs Data (ASYCUDA). The rulemaking is undertaken pursuant to Public Law 38-109, codified at 5 GCA § 73157, and 5 GCA Chapter 9. Public Law 38-109 designates ASYCUDA as the official customs automated system of CQA for customs operations at Guam's ports of entry, including air, sea, mail, and express consignment facilities. The law further directs the Director of Customs to promulgate rules and regulations governing the effective use, security, integrity, access controls, confidentiality, data retention, and continuity of operations of ASYCUDA and to ensure compliance with applicable local, federal, and international customs, trade, and border-security requirements. The purpose of this notice is to place all affected governmental entities, carriers, importers, exporters, freight forwarders, consolidators and deconsolidators, container freight stations, express consignment operators, terminal and warehouse operators, customs representatives and brokers to the extent authorized by Guam law, logistics providers, postal stakeholders, federal partners, and other interested persons on formal notice that CQA is moving the proposed ASYCUDA regulations into the AAL process.

CQA intends to conduct the process transparently and to provide affected stakeholders meaningful opportunities to review the proposed rules, submit information and comments, and participate in the formal public-hearing process. Stakeholder input is particularly important concerning system registration and access, electronic manifests and declarations, training, connectivity and equipment, private-system integration, data confidentiality and security, business continuity, transition procedures, implementation sequencing, and reasonably identifiable economic impacts.

TENTATIVE RULEMAKING TIMELINE

Tentative Date	Rulemaking Action	Stakeholder Significance	Status / Dependency
September 21, 2026	Formal stakeholder notification that CQA is commencing the AAL rulemaking process.	Stakeholders are placed on notice and may begin reviewing operational, technical, and economic issues relevant to ASYCUDA.	Commencement notice.
September 21–25, 2026	Targeted preliminary stakeholder consultation and collection of implementation/cost information.	CQA may receive focused preliminary information on training, user population, connectivity, integration, transition, and costs.	Pre-rulemaking consultation; does not replace formal AAL participation.
September 25–28, 2026	CQA consolidates stakeholder input and completes proposed-rule and Preliminary Cost Impact Assessment revisions.	Preliminary stakeholder information may be reflected in the hearing draft and economic record.	Subject to technical/legal review.
On or about October 7, 2026	Target publication of formal notice of proposed ASYCUDA rules and public hearing pursuant to 5 GCA § 9301.	Formal AAL notice period begins; proposed rules and required supporting materials made available for public review.	Actual publication date controls subsequent hearing date.
No earlier than 10 days after formal newspaper publication; target October 19, 2026	CQA formal AAL public hearing.	Interested persons may present facts, arguments, written data, or views concerning the proposed rules.	Final date must satisfy § 9301 notice requirements.
At hearing / date stated in formal notice	Formal written-comment deadline.	Stakeholders submit final written comments for the agency rulemaking record.	Exact deadline stated in formal § 9301 notice.
Approximately 3–7 business days after formal comment period closes	CQA response-to-comments review; rule revisions; final cost-impact/EIS determination as applicable.	Material comments are evaluated and disposition documented.	Timing depends on volume/substance of comments.
Following completion of agency record	Director adoption/certification and submission for required Governor and Attorney General review.	Agency phase advances to executive/legal review.	Dependent on complete administrative record.
Immediately following required written approvals	Transmittal to the Speaker of I Liheslaturan Guåhan pursuant to the AAL.	Legislative review phase begins.	Dependent on Governor/AG approvals.
Statutory period following legislative filing	Legislative public hearing/review and 90-calendar-day consideration period.	Additional public participation may occur during legislative review.	Dates depend on actual filing date.
After completion of all AAL requirements	Publication/final effectiveness and phased ASYCUDA implementation under the approved rules.	CQA will provide implementation, registration, training, and operational notices as appropriate.	Subject to lawful completion of AAL process.

Important Notice Regarding Dates. The dates above are tentative planning dates. The actual date of newspaper publication of the formal § 9301 notice will control the earliest permissible date of the CQA public hearing. Governor, Attorney General, and legislative review periods may also affect subsequent dates. CQA will issue the formal § 9301 public notice separately with the confirmed hearing date, time, location, document-availability information, and formal comment instructions.

Statutory 180-Day Directive. Public Law 38-109 became effective April 8, 2026 and directs the Director to promulgate ASYCUDA rules within 180 days. CQA is therefore proceeding on an expedited basis while preserving the notice, public-participation, review, and administrative-record requirements of 5 GCA Chapter 9.

Availability of Materials. CQA intends to make the proposed ASYCUDA rules and associated rulemaking materials available through the CQA website and at the CQA Executive Office as the formal AAL process advances. The subsequent § 9301 notice will provide the controlling information regarding public inspection and formal participation.

Stakeholder Coordination. Questions and preliminary stakeholder information may be directed to the Director of Customs, Guam Customs and Quarantine Agency, 770 East Sunset Boulevard, Suite 250, Tiyan, Guam 96913; telephone (671) 475-6202; email inquire@cqa.guam.gov. Stakeholders should identify correspondence as "ASYCUDA RULEMAKING."

CQA appreciates the cooperation of all stakeholders as Guam transitions toward a secure, accountable, integrated, and modern electronic customs environment.

Senseramente,

A handwritten signature in dark ink, appearing to read 'Ike Q. Peredo', is written over a horizontal line.

Ike Q. Peredo

Director of Customs