

**I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
RESOLUTIONS**

Resolution No.	Sponsor	Title	Date Intro	Date of Presentation	Date Adopted	Date Referred	Referred to	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
94-35 (COR) As substituted on the Floor	Therese M. Terlaje Tina Rose Muña Barnes Sabina Flores Perez Telena Cruz Nelson Amanda L. Shelton Kelly Marsh (Taitano), PhD Joe S. San Agustin Clynton E. Ridgell Régine Biscoe Lec Jose "Pedo" Terlaje William M. Castro Louise B. Muña Telo T. Taitague James C. Moylan Mary Camacho Torres	Relative to seeking compensation for cancer and other illnesses caused by exposure to ionizing radiation; and to further expressing the support of <i>I Mina'trentai Singko Na Liheslaturan Guåhan</i> (the 35th Guam Legislature) for the passage of S. 947 and H.R. 3783, the " <i>Radiation Exposure Compensation Act Amendments of 2019</i> ," introduced in the U.S. Senate on March 28, 2019, and in the U.S. House of Representatives on July 16, 2019, which would amend the " <i>Radiation Exposure Compensation Act</i> " to include Guam as a downwind area	4/3/19 2:52 p.m.		10/4/19	4/4/19	To Author.	7/18/19 10:00 a.m.	9/23/19 3:50 p.m.	



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Jessica Cruz

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
Thirty-Fifth Guam Legislature

October 7, 2019

The Honorable Lourdes A. Leon Guerrero
I Maga'hågan Guåhan
Ufisinan I Maga'håga
Hagåtña, Guam 96910

Dear *Maga'håga* Leon Guerrero:

Transmitted herewith is **Substitute Resolution No. 94-35 (COR)**, “Relative to seeking compensation for cancer and other illnesses caused by exposure to ionizing radiation; and to further expressing the support of *I Mina'trentai Singko Na Liheslaturan Guåhan* (the 35th Guam Legislature) for the passage of S. 947 and H.R. 3783, the “*Radiation Exposure Compensation Act Amendments of 2019*,” introduced in the U.S. Senate on March 28, 2019, and in the U.S. House of Representatives on July 16, 2019, which would amend the “*Radiation Exposure Compensation Act*” to include Guam as a downwind area,” which was duly and regularly adopted by *I Mina'trentai Singko Na Liheslaturan Guåhan* on October 4, 2019.

Sincerely,

AMANDA L. SHELTON
Legislative Secretary

Enclosure (1)



I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÁHAN
2019 (FIRST) Regular Session

Resolution No. 94-35 (COR)

As substituted on the Floor.

Introduced by:

Therese M. Terlaje
Tina Rose Muña Barnes
Sabina Flores Perez
Telena Cruz Nelson
Amanda L. Shelton
Kelly Marsh (Taitano), PhD
Joe S. San Agustin
Clynton E. Ridgell
Régine Biscoe Lee
Jose "Pedo" Terlaje
William M. Castro
Louise B. Muña
Telo T. Taitague
James C. Moylan
Mary Camacho Torres

Relative to seeking compensation for cancer and other illnesses caused by exposure to ionizing radiation; and to further expressing the support of *I Mina'trentai Singko Na Liheslaturan Guáhan* (the 35th Guam Legislature) for the passage of S. 947 and H.R. 3783, the "*Radiation Exposure Compensation Act Amendments of 2019*," introduced in the U.S. Senate on March 28, 2019, and in the U.S. House of Representatives on July 16, 2019, which would amend the "*Radiation Exposure Compensation Act*" to include Guam as a downwind area.

1 **BE IT RESOLVED BY *I MINA'TRENTAI SINGKO NA LIHESLATURAN***
2 ***GUÁHAN*:**

1 **WHEREAS**, the United States government conducted nuclear testing at a
2 number of sites in the Marshall Islands and a few other locations in the Pacific Ocean
3 between the years 1946 and 1962. These sites became known as the “Pacific Proving
4 Grounds.” On October 31, 1952 (GMT), Operation Ivy was conducted on Elugelab
5 Island (“Flora”) in the Enewetak Atoll of the Marshall Islands, in which the first true
6 thermonuclear hydrogen bomb (a 10.4 megaton device), code named “Mike,” was
7 detonated, destroying the entire island and leaving behind a crater six thousand two
8 hundred forty (6,240) feet across and one hundred sixty-four (164) feet deep in its
9 aftermath; and

10 **WHEREAS**, radioactive fallout occurs after a detonation of a nuclear bomb
11 where radioactive particles and earth debris, which comprise the mushroom cloud, are
12 released into the atmosphere and remain in the atmosphere for about twenty-four (24)
13 hours before descending back to earth. Before the descent back to earth, these
14 radioactive particles can be carried through jet-streams in the atmosphere to locations
15 over a thousand miles away from the actual nuclear test site and settle into the
16 environment causing multiple health and environmental problems; and

17 **WHEREAS**, Guam is located approximately one thousand two hundred (1,200)
18 miles directly west of the nuclear test sites. The radioactive dust particles traveled
19 through the westward flowing jet-streams from the Marshall Islands and settled on
20 Guam. Ships present in the Marshall Islands during the nuclear testing were
21 decontaminated in Guam’s harbors with acidic detergents, and the runoff from the
22 operations went directly into the local fishing and reef environments; and

23 **WHEREAS**, in the sworn testimony of retired U.S. Navy Lieutenant Charles
24 Bert Schreiber on the fallout of the first hydrogen bomb test, the detonation of Ivy Mike,
25 he states, “I was the Radiological Safety Officer for the Headquarters Command Guam.
26 On or about November 3, 1952, I was making my monthly check sitting at the desk in

1 that office that was about five (5) feet from the window screens that covered the wall
2 all the way down to about a couple of inches from the floor. I took out the metal
3 calibration rod (about as big as a normal soda straw and about six (6) inches long) stored
4 in the instrument that has a small radioactive source on its end. I put the counter on the
5 low setting (it has three (3); low, medium, and high) and was ready to place the rod near
6 the detection windows (two (2) of them), but the dial needle was way over on the scale
7 and the audible signal was clicking like mad, or almost a continuous sound; sounds like
8 constant static on a radio. My original thought was that the counter was malfunctioning,
9 but when I raised it up and put it nearer the screen window, the dial needle swung even
10 further over and the sound increased still further. I then put it close to the screen near
11 the floor and the needle went off the scale (as far as it could swing right). I knew it was
12 not the counter, but that there was some radioactivity outside. I panicked. My first
13 thought was that Guam had been subjected to some radioactive dust attack;” and

14 **WHEREAS**, Guam’s local residents were never warned or informed by the U.S.
15 Navy of an increase in radioactivity; and

16 **WHEREAS**, on October 15, 1990, former President George H.W. Bush signed
17 into law H.R. 2372 (U.S. Public Law 101-426), relative to the “*Radiation Exposure*
18 *Compensation Act*” (RECA). The law covered those who were affected by nuclear
19 fallout during the atmospheric testing in Nevada and the Marshall Islands. RECA
20 established the Radiation Exposure Compensation Program (RECP) with the Civil
21 Division of the U.S. Department of Justice to administer its responsibilities under the
22 Act; and

23 **WHEREAS**, on July 10, 2000, an amendment to RECA (U.S. Public Law 106-
24 245) broadened the scope of eligibility for benefit coverage to include new victim
25 categories, and to modify the eligibility criteria for compensation. The amendment set
26 forth to extend the time period for consideration and compensation, and to include other

1 individuals related to nuclear exposure, such as uranium miners, uranium millers, ore
2 transporters, and “downwinders;” and

3 **WHEREAS**, in order to address the issue of eligibility, the Board on Radiation
4 Effects Research (BRER) Committee invited Guam’s Mr. Robert N. Celestial and
5 Congresswoman Madeleine Z. Bordallo to give oral and written testimonies in 2004.
6 After completing both testimonies, an independent committee was convened. Its
7 conclusions are in the Radiation Exposure Screening and Education Program (RESEP)
8 Report 2005, and it states: “As a result of its analysis, the committee concludes that
9 Guam did receive measurable fallout from atmospheric testing of nuclear weapons in
10 the Pacific. Residents of Guam during that period should be eligible for compensation
11 under RECA in a way similar to that of persons considered to be “downwinders;” and

12 **WHEREAS**, S. 947 and H.R. 3783 are both cited as the “*Radiation Exposure*
13 *Compensation Act Amendments of 2019*.” S. 947 was introduced by Idaho Republican
14 Senator Mike Crapo, with the co-sponsorship of Idaho Republican Senator Jim Risch,
15 and Democrat Senators Tom Udall and Martin Heinrich of New Mexico, Senator
16 Michael Bennet of Colorado, Senator Cory Booker of New Jersey, Senator Kyrsten
17 Sinema of Arizona, and Senator Jacklyn Rosen of Nevada. This is the eight (8th) version
18 of a RECA amendment bill introduced in the past twelve (12) years; and, the original
19 legislation covered twenty-one (21) counties in Arizona, Utah, and Nevada. H.R. 3783
20 was introduced by New Mexico Democrat Representative Ben Ray Lujan, with the co-
21 sponsorship of Guam Democrat Representative Michael San Nicolas and forty-one (41)
22 other U.S. Representatives thus far; and

23 **WHEREAS**, the “*Radiation Exposure Compensation Act Amendments of 2019*”
24 would extend coverage to claimants throughout all of Arizona, Colorado, Idaho,
25 Montana, Nevada, New Mexico, and Utah; and, Guam would be included for the Pacific
26 test sites. It would also increase RECA awards for “downwinders” from Fifty Thousand

1 Dollars (\$50,000) to One Hundred Fifty Thousand Dollars (\$150,000), equal to what
2 uranium workers and test-site participants are eligible to receive; and, the amendment
3 to the Act will also extend the fund claims for nineteen (19) more years as opposed to
4 the originally stated twenty-two (22) years; and

5 **WHEREAS**, H.R. 3783 also seeks a Congressional apology to individuals who
6 were exposed to radiation in New Mexico, Idaho, Colorado, Arizona, Utah, Texas,
7 Wyoming, Oregon, Washington, South Dakota, North Dakota, Nevada, Guam, and the
8 Northern Mariana Islands; and

9 **WHEREAS**, *I Liheslaturan Guåhan* (the Guam Legislature) unequivocally
10 supports the proposed amendments to RECA, which would include Guam as a
11 downwind area; now therefore, be it

12 **RESOLVED**, that *I Mina'trentai Singko Na Liheslaturan Guåhan* does hereby,
13 on behalf of the people of Guam, seek compensation for cancer and other illnesses
14 caused by exposure to ionizing radiation; and does further express the support of *I*
15 *Mina'trentai Singko Na Liheslaturan Guåhan* for the passage of S. 947 and H.R. 3783,
16 the "*Radiation Exposure Compensation Act Amendments of 2019*," introduced in the
17 U.S. Senate on March 28, 2019, and in the U.S. House of Representatives on July 16,
18 2019, which would amend the "*Radiation Exposure Compensation Act*" to include
19 Guam as a downwind area; and be it further

20 **RESOLVED**, that the Speaker certify, and the Legislative Secretary attest to, the
21 adoption hereof, and that copies of the same be thereafter transmitted to the Honorable
22 Donald J. Trump, President of the United States of America; to the Honorable Chuck
23 Grassley, President Pro Tempore, U.S. Senate; to the Honorable Nancy Pelosi, Speaker,
24 U.S. House of Representatives; to the Honorable Johnny Isakson, Chairman, Committee
25 on Veterans' Affairs, U.S. Senate; to the Honorable Jon Tester, Ranking Member, and
26 all members of the Committee on Veterans' Affairs, U.S. Senate; to the Honorable

1 James Inhofe, Chairperson, Committee on Armed Services, U.S. Senate; to the
2 Honorable Mike Crapo, Member, U.S. Senate; to the Honorable Lamar Alexander,
3 Chairperson, Committee on Health, Education, Labor and Pensions, U.S. Senate; to the
4 Honorable Mark Takano, Chairman, Committee on Veterans' Affairs, U.S. House of
5 Representatives and all members of the Committee; to the Honorable Adam Smith,
6 Chairman, Armed Services Committee, U.S. House of Representatives and all members
7 of the Committee; to the Honorable Michael San Nicolas, Guam Delegate, U.S. House
8 of Representatives; to the Secretary of the Department of Veterans Affairs; to the
9 Secretary of the Department of the Interior; to the Deputy Assistant Secretary for Insular
10 Affairs; to the Administrator of the Guam Office of Veterans Affairs; to the Guam
11 Veterans Commission; to the National Association of Atomic Veterans; to the State and
12 Area Commanders of the National Association of Atomic Veterans; to Mr. Robert N.
13 Celestial, Pacific Association of Radiation Survivors President; and to the Honorable
14 Lourdes A. Leon Guerrero, *I Maga'hågan Guåhan*.

DULY AND REGULARLY ADOPTED BY *I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN* ON THE 4TH DAY OF OCTOBER 2019.

TINA ROSE MUÑA BARNES
Speaker

AMANDA L. SHELTON
Legislative Secretary

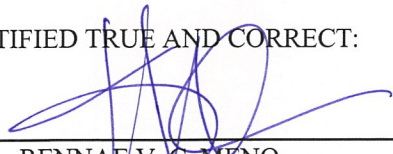
I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session
LEGISLATIVE SESSION VOTING RECORD

Resolution No. 94-35 (COR) As substituted on the Floor.	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building October 4, 2019					
NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator William M. CASTRO	✓					
Senator Régine Biscoe LEE	✓					
Senator Kelly G. MARSH (TAITANO), PhD	✓					
Senator James C. MOYLAN	✓					
Senator Louise B. MUÑA	✓					
Speaker Tina Rose MUÑA BARNES	✓					
Vice Speaker Telen Cruz NELSON	✓					
Senator Sabina Flores PEREZ	✓					
Senator Clynton E. RIDGELL	✓					
Senator Joe S. SAN AGUSTIN	✓					
Senator Amanda L. SHELTON	✓					
Senator Telo T. TAITAGUE	✓					
Senator Jose "Pedo" TERLAJE	✓					
Senator Therese M. TERLAJE	✓					
Senator Mary Camacho TORRES	✓					

TOTAL: 15

	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
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CERTIFIED TRUE AND CORRECT:



 RENNAE V. C. MENO
 Clerk of the Legislature

I = Pass