

2010 FM -1 PM 3:05 PM

I MINA 'TRENTA NA LIHESLATURAN GUÁHAN
2010 (Second) REGULAR SESSION

Resolution No. 280-30 (e)

Introduced by:

J.V. Espaldon
T. R. Muña Barnes
v.c. pangelinan
J.T. Won Pat, Ed. D.

Relative to supporting the passage of H.R. 2254 and S.1939, “*The Agent Orange Equity Act of 2009*”; and requesting the assistance of Guam’s Delegate to Congress in ensuring Guam’s veterans excluded from coverage under the current statute due to their “Blue Water Navy” designation are included in the amendments proffered by legislation before the United States Congress.

1 **BE IT RESOLVED BY I MINA' TRENTA NA LIHESLATURAN GUÁHAN:**

2 **WHEREAS**, various herbicide agents have been used and stored on Guam and exposure to
3 them has been documented as recently as 2007, with the Veterans Administration (VA)
4 acknowledging the illness of Air Force veteran Robert E. Sullivan due to exposure to Agent Orange
5 at Andersen Air Force Base; and

6 **WHEREAS**, existing federal law in 2007 mandates certain presumptions must be met before
7 a claim can be recognized and compensated by the VA, among which was the presumption that
8 compensation was only due to those in the military service and not to civilian employees; and

9 **WHEREAS**, *I Mina Bente Nuebi na Liheslaturan Guahan* adopted Resolution No. 95 which
10 requested Guam’s Delegate to Congress to include Guam in the “*Civilian Agent Orange Act of*
11 *2007*”; and

12 **WHEREAS**, Congress now has before it H.R. 2254 and S.1939, “*The Agent Orange Equity*
13 *Act of 2009*”, which seek to amend and clarify the presumptions used by the VA in their review and
14 approval of claims submitted by “*Blue Water Navy*” veterans who believe they were exposed to
15 Agent Orange during their tours of duty in the Republic of Vietnam inland waterways, ports, and
16 harbors and while serving in Johnston Island during the period of April 1, 1972 until September 30,
17 1977; and

1 **WHEREAS**, Guam has a number of veterans that would qualify for compensation under the
2 proposed amendments and, if granted inclusion, would be treated as equitably as all those who
3 previously had been made eligible by action of the United States Congress; now, therefore, be it

4 **RESOLVED**, *I Mina' Trenta na Liheslaturan Guåhan* does support the inclusion of Guam
5 and her veterans in H.R. 2254 and S.1939; and, be it further

6 **RESOLVED**, *I Liheslaturan Guåhan* does wholeheartedly support the passage of H.R. 2254
7 and S.1939 in the hopes of equitably including all veterans exposed to the ravages of Agent Orange,
8 regardless of whether they had “boots on the ground” or “*boots in the water*”; and be it further

9 **RESOLVED**, *I Liheslaturan Guåhan* respectfully request Guam’s Delegate to Congress to
10 make every effort to ensure Guam’s “*Blue Water Navy*” veterans, and all “*Blue Water Navy*”
11 veterans are afforded the same ability to seek compensation for exposure as those persons currently
12 eligible; and be it further

13 **RESOLVED**, that the Speaker certify, and the Secretary of the Legislature attest to, the
14 adoption hereof and that copies of the same be thereafter transmitted to: to the Honorable Eric K.
15 Shinseki, Secretary of Veterans Affairs, to the Honorable Madeleine Z. Bordallo; and to the
16 Honorable Felix P. Camacho, *I Maga'lahaen Guåhan*.

DULY AND REGULARLY ADOPTED BY *I MINA'BENTE TRENTA NA LIHESLATURAN*
***GUÅHAN* ON THE ____ DAY OF _____, 2010.**

JUDITH T. WON PAT
SPEAKER

TINA ROSE MUÑA-BARNES
Senator and
Secretary of the Legislature