















**I MINA'TRENTAI SAIS 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
178-36 (LS)	Therese M. Terlaje Tina Rose Muña Barnes Sabina Flores Perez Jose "Pedo" Terlaje Clynton E. Ridgell Telena Cruz Nelson Amanda L. Shelton Joe S. San Agustin Joanne M. Brown Telo T. Taitague Mary Camacho Torres V. Anthony Ada Frank Blas, Jr. Christopher M. Dueñas James C. Moylan	Relative to expressing the support of I Mina'trentai Sais Na Liheslaturan Guåhan (the 36th Guam Legislature) for the passage of S. 2798 and H. 5338, introduced in the U.S. Senate and House of Representatives on September 22, 2021, which would amend the "Radiation Exposure Compensation Act" to include Guam as a "downwinder" of U.S. Pacific test sites, extend the fund claims period, and improve compensation and benefits.	9/24/21 2:22 p.m.							

***I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN***  
**2021 (FIRST) Regular Session**

**Resolution No. 178-36 (LS)**

Introduced by:

Therese M. Terlaje   
Tina Rose Muña Barnes   
Sabina F. Perez   
Jose "Pedro" Terlaje   
Clynton E. Ridgell  
Telena Cruz Nelson   
Amanda L. Shelton   
Joe S. San Agustin   
Joanne M. Brown   
Telo T. Taitague   
Mary Camacho Torres   
V. Anthony Ada   
Frank F. Blas Jr.   
Christopher M. Duenas   
James C. Moylan 

Relative to expressing the support of *I Mina'trentai Sais Na Liheslaturan Guåhan* (the 36<sup>th</sup> Guam Legislature) for the passage of S. 2798 and H. 5338, introduced in the U.S. Senate and House of Representatives on September 22, 2021, which would amend the "*Radiation Exposure Compensation Act*" to include Guam as a "downwinder" of U.S. Pacific test sites, extend the fund claims period, and improve compensation and benefits.

1        **BE IT RESOLVED BY *I MINA'TRENTAI SAIS NA LIHESLATURAN***  
2        ***GUÅHAN*:**  
3        **WHEREAS**, the United States government conducted 67 nuclear detonations in  
4        the Marshall Islands between the years of 1946 and 1962. These sites became known as

1 the “Pacific Proving Grounds.” On October 31, 1952 (GMT), one U.S. nuclear test titled  
2 “Operation Ivy” was conducted on Elugelab Island (“Flora”) in the Enewetak Atoll, in  
3 which the first true thermonuclear hydrogen bomb (a 10.4 megaton device), code named  
4 “Mike,” was detonated, destroying the entire island, and leaving behind a crater six  
5 thousand two hundred forty (6,240) feet across and one hundred sixty-four (164) feet  
6 deep in its aftermath; and

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

14 **WHEREAS**, in a 2005 Assessment of the Scientific Information for the  
15 Radiation Exposure Screening and Education Program reported by the National  
16 Research Council on behalf of the Committee to Assess the Scientific Information for  
17 the Radiation Exposure Screening and Education Program and Board on Radiation  
18 Effects Research Division on Earth and Life Studies, it was confirmed that Guam “did  
19 receive radioactive debris from fallout during the nuclear-weapons testing in the Pacific  
20 Ocean” and was a harbor for the decontamination of ships present in the Marshall  
21 Islands during the nuclear testing; and

22 **WHEREAS**, in the sworn testimony of retired U.S. Navy Lieutenant Charles  
23 Bert Schreiber on the fallout of the first hydrogen bomb test, the detonation of Ivy Mike,  
24 he states, “I was the Radiological Safety Officer for the Headquarters Command Guam.  
25 On or about November 3, 1952, I was making my monthly check sitting at the desk in  
26 that office that was about five (5) feet from the window screens that covered the wall  
27 all the way down to about a couple of inches from the floor. I took out the metal  
28 calibration rod (about as big as a normal soda straw and about six (6) inches long) stored  
29 in the instrument that has a small radioactive source on its end. I put the counter on the

1 low setting (it has three (3); low, medium, and high) and was ready to place the rod near  
2 the detection windows (two (2) of them), but the dial needle was way over on the scale  
3 and the audible signal was clicking like mad, or almost a continuous sound; sounds like  
4 constant static on a radio. My original thought was that the counter was malfunctioning,  
5 but when I raised it up and put it nearer the screen window, the dial needle swung even  
6 further over and the sound increased still further. I then put it close to the screen near  
7 the floor and the needle went off the scale (as far as it could swing right). I knew it was  
8 not the counter, but that there was some radioactivity outside. I panicked. My first  
9 thought was that Guam had been subjected to some radioactive dust attack”; and

10 **WHEREAS**, Guam’s local residents were never warned or informed by the U.S.  
11 Navy of an increase in radioactivity and documents with these information were  
12 classified until 1994; and

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

19 **WHEREAS**, on July 10, 2000, an amendment to RECA (Public Law 106-245)  
20 broadened the scope of eligibility for benefit coverage to include new victim categories,  
21 and to modify the eligibility criteria for compensation. The amendment extended the  
22 time-period for consideration and compensation, and included other individuals related  
23 to nuclear exposure, such as uranium miners, uranium millers, ore transporters, and  
24 “downwinders”; and

25 **WHEREAS**, to address the issue of eligibility, the Board on Radiation Effects  
26 Research (BRER) Committee invited Guam’s Mr. Robert N. Celestial and  
27 Congresswoman Madeleine Z. Bordallo to give oral and written testimonies in 2004.  
28 After completing both testimonies, an independent committee was convened. Their  
29 conclusions are in the Radiation Exposure Screening and Education Program (RESEP)

1 Report 2005, and it states: “As a result of its analysis, the committee concludes that  
2 Guam did receive measurable fallout from atmospheric testing of nuclear weapons in  
3 the Pacific. Residents of Guam during that period should be eligible for compensation  
4 under RECA in a way similar to that of persons considered to be downwinders”; and

5 **WHEREAS**, in 2021 the U.S. Senate Bill S. 2798, cited as the “*Radiation*  
6 *Exposure Compensation Act Amendments of 2021*,” was introduced by Idaho  
7 Republican Senator Mike Crapo and New Mexico Democrat Ben Ray Luján with the  
8 co-sponsorship of eight other senators thus far. Similarly in 2021, the U.S. House of  
9 Representatives Bill H.R. 5338 was introduced by New Mexico Democrat Teresa Leger  
10 Fernández with the co-sponsorship of the Honorable Guam Democrat Representative  
11 Michael F. Q. San Nicolas and 14 other representatives thus far; and

12 **WHEREAS**, the two new Bills would extend coverage to claimants throughout  
13 all of Guam, Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, and Utah; and  
14 residents of Guam would be included as “downwinders” of U.S. Pacific test sites. The  
15 Bills would also increase RECA awards for “downwinders” from Fifty Thousand  
16 Dollars (\$50,000) to One Hundred Fifty Thousand Dollars (\$150,000); provide  
17 coverage for additional forms of cancer; and the amendment to the Act will also extend  
18 the fund claims period for nineteen (19) more years; and

19 **WHEREAS**, specifically, the two new Bills provide that those persons who were  
20 present in Guam for at least one year from 1946 to 1962 and were diagnosed with cancer  
21 are eligible for \$150,000 compensation and medical benefits under RECA; and

22 **WHEREAS**, the cancer diagnoses eligible under RECA with these new two Bills  
23 will include leukemia, multiple myeloma, lymphoma (other than Hodgkin’s disease),  
24 and primary cancers of the: thyroid, male or female breast, esophagus, stomach,  
25 pharynx, small intestine, pancreas, bile ducts, gallbladder, salivary gland, urinary  
26 bladder, brain, colon, ovary, liver (except if cirrhosis or hepatitis B is indicated), and  
27 lung; and

1           **WHEREAS**, incidence data reported from Guam to the Pacific Regional Central  
2 Cancer Registry between 2007 and 2018 shows that seven of the top ten adult cancers  
3 in Guam are compensable under RECA; now therefore, be it

4           **RESOLVED**, that *I Mina'trentai Sais Na Liheslaturan Guåhan* does hereby, on  
5 behalf of the people of Guam, express the support of *I Mina'trentai Sais Na Liheslaturan*  
6 *Guåhan* (the 36<sup>th</sup> Guam Legislature) for the passage of S. 2798 and H. 5338, introduced  
7 in the U.S. Senate and U.S. House of Representatives on September 22, 2021, which  
8 would amend the “*Radiation Exposure Compensation Act*” to include Guam as a  
9 “downwinder” of U.S. Pacific test sites, extend the fund claims period, and improve  
10 compensation and benefits; and be it further

11           **RESOLVED**, that the Speaker certify, and the Legislative Secretary attest to, the  
12 adoption hereof, and that copies of the same be thereafter transmitted to the Honorable  
13 Joe Biden, President of the United States of America; the Honorable Kamala Harris,  
14 Vice President of the United States; to the Honorable Patrick Leahy, President Pro  
15 Tempore, U.S. Senate; to the Honorable Nancy Pelosi, Speaker, U.S. House of  
16 Representatives; to the Honorable Mike Crapo, Idaho Senator, U.S. Senate; to the  
17 Honorable Ben Ray Luján, New Mexico Senator, U.S. Senate; to the Honorable Dick  
18 Durbin, Chairperson, Committee on the Judiciary, U.S. Senate; to the Honorable Patty  
19 Murray, Chairperson, Committee on Health, Education, Labor and Pensions, U.S.  
20 Senate; to the Honorable Teresa Leger Fernández, New Mexico Delegate, U.S. House  
21 of Representatives; to the Honorable Jerrold Nadler, Chairperson, Committee on the  
22 Judiciary, U.S. House of Representatives; to the Honorable Bobby Scott, Chairperson,  
23 Committee on Education and Labor, U.S. House of Representatives; to the Honorable  
24 Frank Pallone, Jr., Chairperson, Committee on Energy and Commerce, U.S. House of  
25 Representatives; to the Honorable Michael F. Q. San Nicolas, Guam Delegate, U.S.  
26 House of Representatives; to the Secretary of the Department of the Interior; to Deputy  
27 Assistant Secretary for Insular Affairs; to the Attorney General for the Department of  
28 Justice; to Mr. Robert N. Celestial, Pacific Association of Radiation Survivors  
29 President; and to the Honorable Lourdes A. Leon Guerrero, *I Maga'hāgan Guåhan*.

**DULY AND REGULARLY ADOPTED BY *I MINA'TRENTAI SAIS NA LIHESLATURAN GUÁHAN* ON THE 24<sup>th</sup> DAY OF SEPTEMBER 2021.**

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**THERESE M. TERLAJE**  
**Speaker**

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**AMANDA L. SHELTON**  
**Legislative Secretary**