

# I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN

## 2024 (SECOND) Regular Session

### VOTING RECORD

<b>Resolution No. 171-37 (LS)</b> As amended by the Author; substituted; and further amended on the Floor.	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building March 22, 2024					
NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator Chris Barnett	✓					
Senator Frank Blas, Jr.	✓					
Senator Joanne Brown	✓					
Senator Christopher M. Dueñas	✓					
Senator Thomas J. Fisher	✓					
Senator Jesse A. Lujan	✓					
Vice Speaker Tina Rose Muña Barnes	✓					
Senator William A. Parkinson	✓					
Senator Sabina Flores Perez	✓					
Senator Roy A. B. Quinata	✓					
Senator Joe S. San Agustin	✓					
Senator Dwayne T. D. San Nicolas	✓					
Senator Amanda L. Shelton	✓					
Senator Telo T. Taitague	✓					
Speaker Therese M. Terlaje	✓					

**TOTAL**

**15**

**0**

Not  
Voting/  
Abstained

Out  
During  
Roll Call

**0**

**0**

Absent

Excused

Aye

Nay

CERTIFIED TRUE AND CORRECT:

  
 \_\_\_\_\_  
 JOAQUIN P. TAITAGUE  
 Clerk of the Legislature

I = Pass

***I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN***  
**2023 (FIRST) Regular Session**

**Resolution No. 171-37 (LS)**

As amended by the Author; and substituted  
and further amended on the Floor.

\*

Introduced by:

Therese M. Terlaje  
Sabina Flores Perez  
Chris Barnett  
Joanne Brown  
Frank Blas, Jr.  
Jesse A. Lujan  
Tina Rose Muña Barnes  
Amanda L. Shelton  
Dwayne T.D. San Nicolas  
Joe S. San Agustin  
Telo T. Taitague  
Christopher M. Dueñas  
Thomas J. Fisher  
William A. Parkinson  
Roy A. B. Quinata

**Relative to expressing the support of *I Mina'trentai Siette Na Liheslaturan Guåhan* (the 37<sup>th</sup> Guam Legislature) for the passage of measures by the U.S. Senate and the U.S. House of Representatives during the 118<sup>th</sup> Congress which would amend the “*Radiation Exposure Compensation Act*” to include the people of Guam as “downwinders” of U.S. Pacific nuclear test sites, extend the claims period, and improve compensation and benefits.**

1           **BE IT RESOLVED BY *I MINA'TRENTAI SIETTE NA LIHESLATURAN***  
2   ***GUÅHAN*:**

1           **WHEREAS**, the United States government detonated sixty-seven (67) nuclear  
2 devices in the Bikini and *Enewetak* Atolls of the Republic of the Marshall Islands  
3 between the years of 1946 and 1962. These nuclear test sites in the Marshall Islands, in  
4 addition to other locations in the Pacific Ocean, became known as the “Pacific Proving  
5 Grounds.” On October 31, 1952 (GMT), one (1) U.S. nuclear test titled “Operation Ivy”  
6 was conducted on Elugelab Island (“Flora”) in the Enewetak Atoll, in which the first  
7 true thermonuclear hydrogen bomb (a 10.4 megaton device), code-named “Mike,” was  
8 detonated, destroying the entire island, and leaving behind a crater six thousand two  
9 hundred forty (6,240) feet across and one hundred sixty-four (164) feet deep in its  
10 aftermath; and

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

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

1           **WHEREAS**, in the sworn testimony of retired U.S. Navy Lieutenant Charles  
2 Bert Schreiber on the fallout of the first hydrogen bomb test, the detonation of Operation  
3 Ivy's Mike, he states, "I was the Radiological Safety Officer for the Headquarters  
4 Command Guam. On or about November 3, 1952, I was making my monthly check  
5 sitting at the desk in that office that was about five (5) feet from the window screens  
6 that covered the wall all the way down to about a couple of inches from the floor. I took  
7 out the metal calibration rod (about as big as a normal soda straw and about six (6)  
8 inches long) stored in the instrument that has a small radioactive source on its end. I put  
9 the counter on the low setting (it has three (3); low, medium, and high) and was ready  
10 to place the rod near the detection windows (two (2) of them), but the dial needle was  
11 way over on the scale and the audible signal was clicking like mad, or almost a  
12 continuous sound; sounds like constant static on a radio. My original thought was that  
13 the counter was malfunctioning, but when I raised it up and put it nearer the screen  
14 window, the dial needle swung even further over, and the sound increased still further.  
15 I then put it close to the screen near the floor and the needle went off the scale (as far  
16 as it could swing right). I knew it was not the counter, but that there was some  
17 radioactivity outside. I panicked. My first thought was that Guam had been subjected to  
18 some radioactive dust attack"; and

19           **WHEREAS**, Guam's local residents were never warned or informed by the U.S.  
20 Navy of an increase in radioactivity, and documents with this information were  
21 classified until 1994; and

22           **WHEREAS**, on October 15, 1990, H.R. 2372 (U.S. Public Law 101-426),  
23 relative to the "*Radiation Exposure Compensation Act*" (RECA), was enacted. The law  
24 covered some of those who were affected by nuclear fallout during atmospheric testing  
25 in Nevada and the Marshall Islands. RECA established the Radiation Exposure

1 Compensation Program (RECP) with the Civil Division of the U.S. Department of  
2 Justice to administer its responsibilities under RECA; and

3 **WHEREAS**, on July 10, 2000, an amendment to RECA (U.S. Public Law 106-  
4 245) broadened the scope of eligibility for benefit coverage to include new victim  
5 categories, and to modify the eligibility criteria for compensation. The amendment  
6 extended the time-period for consideration and compensation, and included other  
7 individuals who experienced radiation exposure, such as uranium miners, uranium  
8 millers, ore transporters, and “downwinders”; and

9 **WHEREAS**, to address the issue of eligibility under RECA, the Board on  
10 Radiation Effects Research (BRER) Committee invited Guam’s Mr. Robert N. Celestial  
11 and then-Guam Delegate Madeleine Z. Bordallo to give oral and written testimonies in  
12 2004. After completing both testimonies, an independent committee was convened. Its  
13 conclusions are documented in the Radiation Exposure Screening and Education  
14 Program (RESEP) Report 2005, which states: “As a result of its analysis, the committee  
15 concludes that Guam did receive measurable fallout from atmospheric testing of nuclear  
16 weapons in the Pacific. Residents of Guam during that period should be eligible for  
17 compensation under RECA in a way similar to that of persons considered to be  
18 downwinders”; and

19 **WHEREAS**, the Guam Legislature supports extension of RECA coverage to  
20 claimants who were residents of Guam for at least one (1) year from 1946 to 1962 and  
21 diagnosed with a RECA covered illness as “downwinders” of U.S. Pacific nuclear test  
22 sites; an increase of RECA awards for “downwinders” from Fifty Thousand Dollars  
23 (\$50,000) to One Hundred Fifty Thousand Dollars (\$150,000); coverage for additional  
24 forms of cancer and medical benefits; and an extension of the fund claims period for  
25 nineteen (19) more years; and

1           **WHEREAS**, the cancer diagnoses eligible under RECA include leukemia,  
2 multiple myeloma, lymphoma (other than Hodgkin’s disease), and primary cancers of  
3 the thyroid, male or female breast, esophagus, stomach, pharynx, small intestine,  
4 pancreas, bile ducts, gallbladder, salivary gland, urinary bladder, brain, colon, ovary,  
5 liver (except if cirrhosis or hepatitis B is indicated), and lung; and

6           **WHEREAS**, incidence data reported from Guam to the Pacific Regional Central  
7 Cancer Registry between 2007 and 2018 shows that seven (7) of the top ten (10) adult  
8 cancers in Guam are compensable under RECA; now therefore, be it

9           **RESOLVED**, that *I Mina'trentai Siette Na Liheslaturan Guåhan* (the 37<sup>th</sup> Guam  
10 Legislature) does hereby, on behalf of the people of Guam, express support for the  
11 passage of measures by the U.S. Senate and the U.S. House of Representatives during  
12 the 118<sup>th</sup> Congress which would amend the “*Radiation Exposure Compensation Act*” to  
13 include Guam as a “downwinder” of U.S. Pacific nuclear test sites, extend the fund  
14 claims period, improve compensation to One Hundred Fifty Thousand Dollars  
15 (\$150,000), and provide medical benefits; and does further support the extension of  
16 RECA coverage to those persons who were present in Guam for at least one (1) year  
17 from 1946 to 1962 and diagnosed with a RECA covered illness; and be it further

18           **RESOLVED**, that the Speaker certify, and the Legislative Secretary attest to, the  
19 adoption hereof, and that copies of the same be thereafter transmitted to the Honorable  
20 Joseph R. Biden, President, United States of America; to the Honorable Kamala Harris,  
21 Vice President, United States of America; to the Honorable Patty Murray, President Pro  
22 Tempore, U.S. Senate; to the Honorable Ben Ray Luján, New Mexico Senator, U.S.  
23 Senate; to the Honorable Dick Durbin, Chairperson, U.S. Senate Committee on the  
24 Judiciary; to the Honorable Teresa Leger Fernández, New Mexico Representative, U.S.  
25 House of Representatives; to the Honorable Jim Jordan, Chairperson, U.S. House of  
26 Representatives Committee on the Judiciary; to the Honorable Virginia Foxx,

1 Chairperson, U.S. House of Representatives Committee on Education and the  
2 Workforce; to the Honorable Cathy McMorris Rodgers, Chairperson, U.S. House of  
3 Representatives Committee on Energy and Commerce; to the Honorable Mike Johnson,  
4 Speaker, U.S. House of Representatives; to the Honorable Hakeem Jeffries, Democratic  
5 Leader, U.S. House of Representatives; to the Honorable Burgess Owens, U.S. House  
6 of Representatives; to the Honorable Bob Good, Chairman of the House Freedom  
7 Caucus; to the Honorable James C. Moylan, Guam Delegate, U.S. House of  
8 Representatives; to the Secretary of the U.S. Department of the Interior; to the Deputy  
9 Assistant Secretary for Insular Affairs; to the U.S. Attorney General, Department of  
10 Justice; to Mr. Robert N. Celestial, President, Pacific Association of Radiation  
11 Survivors (PARS); and to the Honorable Lourdes A. Leon Guerrero, *I Maga'hågan*  
12 *Guåhan*.

**DULY AND REGULARLY ADOPTED BY *I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN* ON THE DAY OF 2024.**

---

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

---

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