

I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN
RESOLUTION STATUS

Resolution No.	Joe S. San Agustin	Title	Date Intro	Date of Presentation	Date Adopted	Date Referred	Referred to	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
267-34 (COR)	B. J.F. Cruz	Relative to expressing I Mina'Trentai Kuáttro na Liheslaturan Guáhan's unequivocal support for the United Nations World Health Organization Framework Convention on Tobacco Control (WHO-FCTC) in its efforts to address the global tobacco epidemic; and to requesting that the Trump Administration support the WHO-FCTC, and submit it to the United States Senate for ratification; and to further requesting that the U.S. Senate ratify the WHO-FCTC.	10/11/17 5:03 p.m.							

I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN
2017 (FIRST) Regular Session

Resolution No. 26734 (CR)

Introduced by:

B. J.F. Cruz 

Relative to expressing *I Mina'Trentai Kuáttro na Liheslaturan Guáhan's* unequivocal support for the United Nations World Health Organization Framework Convention on Tobacco Control (WHO-FCTC) in its efforts to address the global tobacco epidemic; and to requesting that the Trump Administration support the WHO-FCTC, and submit it to the United States Senate for ratification; and to further requesting that the U.S. Senate ratify the WHO-FCTC.

2017 OCT 11 PM 5:03 PM

1 **BE IT RESOLVED BY THE COMMITTEE ON RULES OF *I MINA'***
2 ***TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN:***

3 **WHEREAS**, Every year, tobacco takes the lives of more than seven million
4 (7,000,000) people across the world (World Health Organization, 2017). Thirteen
5 percent (13%), or eight hundred and fifty thousand (850,000) of those that die
6 annually are merely victims of second-hand smoke (World Health Organization,
7 2017). In the United States alone, forty two thousand (42,000) of the four hundred
8 and eighty thousand (480,000) people that die every year from smoking-related
9 diseases did not use tobacco directly, but rather, were involuntarily exposed to
10 cigarette smoke (2014 Surgeon General's Report). At this rate, one thousand three
11 hundred (1,300) people die from exposure to secondhand smoke in America every
12 day; and

13 **WHEREAS**, For the lives that tobacco hasn't taken, there remain significant
14 health risks and chronic diseases associated with direct tobacco use and exposure
15 to second-hand smoke. According to a 2014 report from the U.S. Surgeon General,

1 both smokers and those exposed to second-hand smoke, suffer a wide range of
2 chronic diseases, such as diabetes; cancer of the liver, lung, and prostate;
3 respiratory diseases, including asthma, chronic obstructive pulmonary disease,
4 emphysema, bronchitis, and tuberculosis; and cardiovascular diseases including
5 aneurysms, stroke, and coronary heart disease.

6 **WHEREAS**, The U.S. Surgeon General (2014) further reports that, to
7 combat the harmful effects of tobacco use, the United States spends approximately
8 one hundred seventy six billion dollars (\$176,000,000,000) on healthcare, forty
9 billion one hundred million dollars (\$40,100,000,000) on annual federal and local
10 government Medicaid payments, and forty-five billion dollars (\$45,000,000,000)
11 on Medicare. This tremendous expense is further compounded by the one hundred
12 and fifty one billion dollars (\$151,000,000,000) the U.S. loses every year, due to
13 tobacco's effect on work productivity. According to a 2014 report published by the
14 *American Journal on Preventative Medicine*, this colossal cost leaves each
15 American household with an annual tax burden of nearly one thousand dollars
16 (\$951) every year; and

17 **WHEREAS**, Although these statistics reflect the economic strain of tobacco
18 addiction, the tobacco industry remains an unrelenting and profitable enterprise in
19 the United States, with reports from the U.S. Federal Trade Commission (2015)
20 indicating that, in 2014 alone, tobacco companies spent over nine billion six
21 hundred million dollars (\$9,600,000,000) in tobacco advertisements and
22 promotions;

23 **WHEREAS**, According to the *Journal of National Cancer Institute* (1995),
24 this relentless tobacco advertisement has a stranglehold on our nation's youth, who
25 are more vulnerable to smoking, and more inclined to smoke after exposure to
26 advertisements rather than from peer influence. Consequently, as reported by the
27 *Journal of the American Medical Association* (1998), tobacco marketing is
28 responsible for over thirty percent (30%) of underage tobacco "experimentation"

1 with sixteen and four tenths percent (16.4%) of boys and fifteen percent (15%) of
2 girls in high school using tobacco products (National Youth Risk Behavior Survey,
3 2013) and contributing one billion two hundred million dollars (\$1,200,000,000) in
4 cigarette packet sales (*American Journal of Public Health*, 1999); and

5 **WHEREAS**, An analysis of tobacco use on the island of Guam reveals
6 further startling statistics, in comparison to stateside data. Of all the U.S. states and
7 territories, Guam maintains the highest rate of tobacco consumption, with
8 approximately twenty five percent (25%) of the adult population smoking
9 cigarettes (Guam Tobacco Control Network, 2017). Among our island’s youth,
10 sixty-six percent (66%) are victims of involuntary exposure to cigarette smoke
11 (Guam Behavioral Health and Wellness Center [GBHWC]). This astonishingly
12 high rate is responsible for the death of at least one (1) individual per day on Guam
13 (Guam Prevention Education and Community Empowerment Office [PEACE]).
14 Moreover, tobacco consumption is responsible for sixty percent (60%) of Guam’s
15 cancer cases (GBHWC), and leaves the Chamorro, Guam’s indigenous people,
16 with the highest rate of lung and oral cancer (PEACE); and

17 **WHEREAS**, These statistics reflect the horrific reality of the global tobacco
18 epidemic and demonstrate the demand for sweeping comprehensive reform. In
19 2003, the World Health Organization, in recognition of the devastating effects of
20 tobacco addiction across the world as well as the rampant growth of tobacco
21 consumption in middle and low income countries, adopted the Framework
22 Convention on Tobacco Control (WHO-FTCT, “the Convention,” “the Treaty”),
23 the first treaty sponsored by the World Health Organization; and

24 **WHEREAS**, After opening in 2003, the WHO-FTCT swiftly gained the
25 signatures of one hundred and sixty eight (168) countries, or Signatories, making it
26 a historic, international achievement. By February 27, 2005, when the FTCT
27 entered into force, all countries that had signed and ratified the Treaty were bound
28 to full implementation of the Treaty under international law; and

1 **WHEREAS**, Currently, there are one hundred and eighty one (181)
2 countries, or ninety three percent (93%) of the entire international community, that
3 have since signed and ratified the Treaty, and are, therefore, legally bound Parties
4 to the Convention; and

5 **WHEREAS**, The WHO-FTC provides a series of “regulative measures” to
6 reduce the supply and demand of tobacco across the globe. By providing policy
7 guidelines, which include increasing the price and tax of tobacco products,
8 prohibiting tobacco marketing and underage sales, and mandating ingredient
9 disclosure of tobacco products in the participating countries of the Convention, the
10 WHO-FTCT empowers participating countries to achieve effective results in
11 reducing the stranglehold of tobacco addiction in their respective jurisdictions; and

12 **WHEREAS**, Moreover, to raise awareness on the consequences of tobacco
13 consumption and promote policy surveillance, the WHO-FTCT also calls for
14 continual research, dissemination of findings, and technical assistance for
15 implementation of evidence-based practices for each Party’s respective
16 populations; and

17 **WHEREAS**, Eleven (11) years after entry into force, the WHO-FTCT has
18 made significant achievements within participating countries in the Western
19 Pacific Region. According to the World Health Organization (2015), since
20 implementing the Treaty, nationwide smoke-free legislation was passed in
21 Vietnam, Cambodia and Mongolia while China, Lao People’s Democratic
22 Republic, Philippines, Malaysia and Fiji have passed several smoke-free policies at
23 the municipal level; and

24 **WHEREAS**, Since becoming Party to the Convention, Australia has enacted
25 radical change relative to tobacco advertisement through the Tobacco Plain
26 Packaging Act in 2011. As a result, Australia became the first country mandating
27 plain cigarette packaging, quickly inspiring other countries to follow suit (World
28 Health Organization, 2015). According to the Australian Government’s

1 Department of Health (National Drug Strategy Household Survey, 2014), tobacco
2 clearances declined eleven percent (11%) following the enactment of the Tobacco
3 Plain Packaging Act. Likewise, in three years, Australia witnessed a three percent
4 (3%) reduction in prevalence of tobacco use among individuals fourteen (14) years
5 and above; and

6 **WHEREAS**, According to the World Health Organization, similar
7 successful legislation in other Parties to the Convention include the enactment of
8 pictorial health warnings on cigarette cartons in the countries of the Philippines,
9 Brunei Darussalam, Fiji, Malaysia, Mongolia, New Zealand, Samoa, Singapore,
10 Solomon Islands, Vanuatu and Vietnam (World Health Organization, 2015);
11 Tobacco marketing, including point-of-sale advertising, has also been banned in
12 the countries of Tuvalu, Vanuatu and Vietnam (World Health Organization, 2015);
13 and

14 **WHEREAS**, Despite signing the Treaty prior to the signature deadline in
15 2004, the United States has yet to ratify the Treaty, joining only five other
16 countries (Argentina, Cuba, Haiti, Morocco, and Switzerland) that have signed but
17 are not Party to the Convention and, therefore, not legally bound to the
18 Convention's policy guidelines; and

19 **WHEREAS**, Several efforts to send the WHO-FCTC for ratification to the
20 U.S. Senate, were made, including in 2005, under the advocacy of then Senator
21 Barack Obama to President George W. Bush. These efforts were ultimately
22 ignored and failed to revive under President Barack Obama's two terms; and

23 **WHEREAS**, On January 12, 2016, in his final State of the Union address,
24 President Obama declared his commitment to fighting cancer in the United States
25 by passionately proposing to "make America the country that cures cancer, once
26 and for all." As a result, the President tasked Vice President Joe Biden to chair
27 "Mission Control," a national initiative to expedite cancer research by expanding

1 both public and private resources and increasing access to data among “cancer
2 fighters,” comprised of scientists, researchers, and physicians; and

3 **WHEREAS**, Vice President Biden, whose personal experience with the loss
4 of his son to cancer informed his public pursuit of a cancer cure, repeatedly spoke
5 on the moral imperative to fight for millions of Americans whose loved ones have
6 been personally affected by the deadly disease. In his efforts to spearhead this
7 initiative, the Vice President has visited the Abramson Cancer Center at the
8 University of Pennsylvania’s Perelman School of Medicine, spoken at the World
9 Economic Forum in Davos, Switzerland, and continues to meet with several key
10 stakeholders and legislators regarding federal funding for cancer research; and

11 **WHEREAS**, While the Taskforce has made progress to advance cancer
12 research and enforce successful prevention measures, not one mention of efforts to
13 ratify the WHO-FCTC was made in the Vice President’s Moonshot Report to
14 President Obama. Although the Cancer Moonshot initiative continues under the
15 National Cancer Institute (NCI), it remains unknown whether there is staff focused
16 on cancer research under the current administration; and

17 **WHEREAS**, The Trump Administration has been startlingly silent on
18 taking specific steps toward ending the war on cancer. Demonstrating this
19 disregard, President Trump’s budget request for Fiscal Year 2018 proposed to cut
20 one billion dollars (\$1,000,0000) in funding for the National Cancer Institute when
21 compared to its 2017 budget; and

22 **WHEREAS**, To overlook the tobacco scourge plaguing our nation and the
23 cancer it causes would be reckless, irresponsible, and morally reprehensible.
24 According to the American Cancer Society, lung cancer deaths surpass all other
25 cancer deaths in America, and kills nearly one hundred and sixty thousand people
26 every year. As the leading preventable form of cancer in the world, this smoking-
27 induced cancer warrants significant attention and calls for a consolidated action
28 plan; and

1 **WHEREAS**, In the face of such overwhelming evidence for tobacco
2 control, the United States, in its negligence to ratify the Treaty—and therefore,
3 legally bind itself to the Convention’s policy guidelines—has not only failed to
4 maintain its role as the global leader of tobacco reform, but has also obstructed
5 progress and justice for U.S. citizens dying and suffering chronic diseases caused
6 by tobacco; and

7 **WHEREAS**, Despite Guam’s local policymakers, in recognition of the
8 overwhelming evidence on the island and across the world, implementing
9 legislation on tobacco control—including increasing tobacco taxes (Guam Public
10 Law No. 30-80); banning underage tobacco sales and distribution (P.L. 28-170;
11 P.L. 32-160); developing early intervention, mentorship, and Tobacco Cessation
12 programs (P.L. 31-132); and prohibiting smoking in public places (P.L. 33-121)—
13 the people of Guam have been unjustly denied from implementing comprehensive
14 reform due to the United States’ failure to ratify the FCTC; and

15 **WHEREAS**, In consideration of the inexcusable number of deaths and
16 diseases associated with tobacco that continue across the world, the people of
17 Guam and their duly elected representatives of the Thirty-Fourth (34th) Guam
18 Legislature urgently call upon the United States to fight this global tobacco
19 epidemic; now therefore, be it

20 **RESOLVED**, that *I Mina’ Trentai Kuåttro na Liheslaturan Guåhan* does
21 hereby support the implementation and guidelines of the World Health
22 Organization Framework Convention on Tobacco Control on Guam, in the United
23 States, and throughout the world; and be it further

24 **RESOLVED**, that *I Mina’ Trentai Kuåttro na Liheslaturan Guåhan* does
25 hereby, on behalf of the people of Guam, request that President Donald J. Trump
26 submit the World Health Organization Framework Convention on Tobacco Control
27 to the United States Senate for ratification before the end of calendar year 2017;
28 and be it further

1 **RESOLVED**, that *I Mina'Trentai Kuáttro na Liheslaturan Guåhan* does
2 hereby, on behalf of the people of Guam, request that the United States Senate
3 ratify the World Health Organization Framework Convention on Tobacco Control
4 before the end of calendar year 2017; and be it further

5 **RESOLVED**, that the Speaker of *I Liheslaturan Guåhan* certify, and the
6 Secretary of the Legislature attest to, the adoption hereof and that copies of the
7 same be thereafter transmitted to the to the Honorable Donald J. Trump,
8 President of the United States; to the Honorable Vice President Michael R.
9 Pence, Vice President of the United States; to the Honorable Rex W. Tillerson,
10 United States Secretary of State; to the Honorable Nikki Haley, United States
11 Ambassador to the United Nations; to the Honorable Paul D. Ryan, Speaker of the
12 United States House of Representatives; to the Honorable Mitch McConnell,
13 Majority Leader of the United States Senate; to the Honorable Charles E. Schumer,
14 Minority Leader of the United States Senate; to the Honorable Lamar Alexander,
15 Chairman of the Senate Health, Education, Labor and Pensions Committee; to Dr.
16 Tedros Adhanom, Director-General of the World Health Organization; to the
17 Honorable Congresswoman Madeleine Z. Bordallo, Guam Delegate to the U.S.
18 House of Representative; and to the Honorable Edward J.B. Calvo, *I Maga'lahaen*
19 *Guåhan*.

**DULY AND REGULARLY ADOPTED BY THE COMMITTEE ON RULES
OF I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÅHAN ON
THE ____ DAY OF _____ 2017.**

BENJAMIN J.F. CRUZ
Speaker

REGINE BISCOE LEE
Chairperson, Committee on Rules

REGINE BISCOE LEE
Legislative Secretary