










I MINA'TRENTAI KUATTRO NA LIHESLATURAN GUAHAN
RESOLUTION STATUS

Resolution No.	Sponsor	Title	Date Intro	Date of Presentation	Date Adopted	Date Referred	Referred to	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED
39-34 (COR)	Therese M. Terlaje B.J.F. Cruz Thomas C. Ada Dennis G. Rodriguez, Jr. FRANK B. AGUON Michael F.Q. San Nicolas Telena C. Nelson Joe S. San Agustin Régine Biscoe Lee	RELATIVE TO SEEKING COMPENSATION FOR CANCER AND OTHER ILLNESSES CAUSED BY EXPOSURE TO IONIZING RADIATION AND TO EXPRESSING THE SUPPORT OF I MINA'TRENTAI KUATTRO NA LIHESLATURAN GUAHAN (THE 34TH GUAM LEGISLATURE) FOR S. 197, THE RADIATION EXPOSURE COMPENSATION ACT AMENDMENTS OF 2017, INTRODUCED IN THE UNITED STATES CONGRESS ON JANUARY 24, 2017, WHICH WOULD AMEND THE RADIATION EXPOSURE COMPENSATION ACT TO INCLUDE GUAM AS A DOWNWIND AREA.	02/22/17 1:32 p.m.						

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

Resolution No. ~~33~~ -34 (COR)

Introduced by:

Therese M. Terlaje 
B.J.F. Cruz 
Thomas C. Ada 
Dennis G. Rodriguez, Jr. 
FRANK B. AGUON, JR. 
Michael F.Q. San Nicolas 
Telena Cruz Nelson 
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2017 FEB 22 PM 1:32

RELATIVE TO SEEKING COMPENSATION FOR CANCER AND OTHER ILLNESSES CAUSED BY EXPOSURE TO IONIZING RADIATION AND TO EXPRESSING THE SUPPORT OF *I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN* (THE 34TH GUAM LEGISLATURE) FOR S. 197, THE *RADIATION EXPOSURE COMPENSATION ACT AMENDMENTS OF 2017*, INTRODUCED IN THE UNITED STATES CONGRESS ON JANUARY 24, 2017, WHICH WOULD AMEND THE RADIATION EXPOSURE COMPENSATION ACT TO INCLUDE GUAM AS A DOWNWIND AREA.

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

3 **WHEREAS,** the United States government conducted nuclear testing on a
4 number of sites in the Marshall Islands and a few other places in the Pacific Ocean

1 between the years of 1946 and 1962. These sites became known as the “Pacific
2 Proving Grounds”. On October 31, 1952 (GMT) Operation Ivy was conducted on
3 Elugelab Island (“Flora”) in the Enewetak Atoll, in which the first true thermonuclear
4 hydrogen bomb (a 10.4 megaton device) code named Mike was detonated, destroying
5 the entire island leaving behind a 6240 foot across and 164 foot deep crater in its
6 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 24 hours before
10 descending back to earth. Before the decent back to earth, these radioactive particles
11 can be carried through jet-streams in the atmosphere to locations over a thousand
12 miles away from the actual test site and settle into the environment causing multiple
13 health and environmental problems; and

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

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

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

12 **WHEREAS**, the local population was never warned or informed by the Navy
13 of an increase in radioactivity; and

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

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

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

11 **WHEREAS**, the bill, cited as the “Radiation Exposure Compensation Act
12 Amendments of 2017”, was introduced by Idaho Republican Sens. Mike Crapo and
13 Jim Risch, and Democrats Tom Udall and Martin Heinrich of New Mexico and
14 Michael Bennet of Colorado. This is the seventh (7th) version of a RECA amendment
15 bill introduced in the last ten (10) years. The original legislation covered twenty-one
16 (21) counties in Arizona, Utah and Nevada. The bill would extend coverage to
17 claimants throughout all of Arizona, Colorado, Idaho, Montana, Nevada, New
18 Mexico, and Utah; Guam would be included for the Pacific test sites. It would also
19 increase RECA awards for “downwinders” from fifty-thousand (\$50,000) dollars to
20 one hundred fifty thousand (\$150,000) dollars, equal to what uranium workers and
21 test-site participants are eligible to receive; and

22 **WHEREAS**, the amendment to the Act will extend the fund claims for nineteen
23 (19) more years as opposed to the originally stated twenty-two (22) years; and

24 **WHEREAS**, the Guam Legislature unequivocally supports the proposed
25 amendments to RECA, which would include Guam as a downwind area; now,
26 therefore, be it

1 **RESOLVED**, that the Committee on Rules of *I Mina'trentai Kuåttro Na*
2 *Liheslaturan Guåhan* does hereby, on behalf of *I Liheslaturan Guåhan* and the people
3 of Guam, seek compensation for cancer and other illnesses caused by exposure to
4 ionizing radiation and to expressing the support of *I Mina'trentai Kuåttro Na*
5 *Liheslaturan Guåhan* (the 34th Guam Legislature) for S. 197, the *Radiation Exposure*
6 *Compensation Act Amendments of 2017*, introduced in the United States Congress on
7 January 24, 2017, which would amend the Radiation Exposure Compensation Act to
8 include Guam as a downwind area; and be it further

9 **RESOLVED**, that the Speaker and the Chairperson of the Committee on Rules
10 certify, and the Legislative Secretary attest to, the adoption hereof, and that copies of
11 the same be thereafter transmitted to the Honorable Donald J. Trump, President of the
12 United States of America; to the Honorable Orrin Hatch, President Pro Tempore, U.S.
13 Senate; to the Honorable Paul Ryan, Speaker, U.S. House of Representatives; to the
14 Honorable David Roe, Chairman, Committee on Veterans' Affairs, U.S. House of
15 Representatives; to the Honorable Timothy Walz, Ranking Member, Committee on
16 Veterans' Affairs, U.S. House of Representatives; to the Honorable Mac Thornberry,
17 Chairman, Armed Services Committee, U.S. House of Representatives; to the
18 Honorable Johnny Isakson, Chairman, Committee on Veterans' Affairs, U.S. Senate;
19 to the Honorable Jon Tester, Ranking Member, Committee on Veterans' Affairs, U.S.
20 Senate; to the Honorable John McCain, Chairperson, Committee on Armed Services,
21 U.S. Senate; to the Honorable Jack Reed, Ranking Member, Committee on Armed
22 Services, U.S. Senate; to the Honorable Senator Mike Crapo; to the Honorable
23 Senator Tom Udall; to the Honorable Senator James Risch; to the Honorable Senator
24 Martin Heinrich; to the Honorable Senator Michael Bennet; to the Honorable
25 Madeleine Z. Bordallo, Member of Congress, U.S. House of Representatives; to the
26 Secretary of the Department of Veterans Affairs; to the Secretary of the Department of

1 the Interior; to Deputy Assistant Secretary for Insular Affairs; to the Administrator of
2 the Guam Office of Veterans Affairs; to the Guam Veterans Commission; to Mr. Fred
3 Schafer, Managing Director National Commander, National Association of Atomic
4 Veterans; to Mr. Bob Kiltbau, Hawaii State Commander, National Association of
5 Atomic Veterans; to all the State and Area Commanders of the National Association
6 of Atomic Veterans; to Mr. Robert N. Celestial, Pacific Association of Radiation
7 Survivors President; to the Guam Office of Veterans' Affairs; and to the Honorable
8 Edward J.B. Calvo, *I Maga'lahaen Guåhan*.

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

BENJAMIN J.F. CRUZ
Speaker

MICHAEL F.Q. SAN NICOLAS
Chairperson, Committee on Rules

RÉGINE BISCOE LEE
Legislative Secretary