

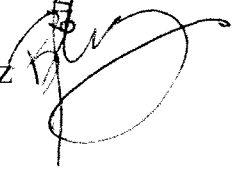
**I MINA 'TRENT AI UNU NA LIHESLATURAN GUÅHAN**  
2011 (FIRST) Regular Session

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Resolution No. **211-31(COR)**

Benjamin J.F. Cruz

B.J.F. Cruz



**Relative to the World Health Organization Framework Convention on Tobacco Control and the global epidemic derived from tobacco; to request that the Obama Administration support the Framework Convention on Tobacco Control; and to request that the United States Senate ratify the World Health Organization Framework Convention on Tobacco Control.**

**BE IT RESOLVED BY THE COMMITTEE ON RULES OF I MINA 'TRENT AI UNU NA LIHESLATURAN GUÅHAN:**

**WHEREAS**, According to the Center for Disease Control, tobacco use is responsible for over 443,000 annual deaths in the United States and is recognized as the single most preventable cause of premature deaths in our country. The global burden of disease from tobacco is even more staggering—an estimated five million annual deaths according to the World Health Organization (WHO); and

**WHEREAS**, In an effort to counteract this tremendous loss of human life and productivity, in 2003 the WHO adopted the Framework Convention on Tobacco Control (WHO FCTC), a treaty designed to strengthen tobacco regulations and increase awareness of the dangers of tobacco's negative health effects worldwide; and

1       **WHEREAS**, As one of the most quickly and widely ratified treaties in UN  
2 history and one of the first global attempts to address a chronic, non-communicable  
3 disease, the WHO FCTC represents a landmark development in international  
4 health; and

5       **WHEREAS**, The WHO FCTC was signed by one hundred sixty eight (168)  
6 countries and is legally binding in one hundred seventy three (173)  
7 ratifying/accessioned countries. The treaty came into force on February 27, 2005.  
8 Unfortunately, the United States of America is one of eleven (11) non-parties to  
9 have signed the treaty in 2004, but to date, has not ratified the treaty; and

10       **WHEREAS**, In 2005, as a member of the Senate, President Obama helped  
11 draft a letter urging former President George W. Bush to send the treaty to the  
12 Senate for ratification that states, “The FCTC is a historic opportunity to protect  
13 current and future generations both at home and abroad from some of the  
14 devastating consequences of tobacco use. The United States must be up to the  
15 challenge of turning this opportunity into a reality”; and

16       **WHEREAS**, Six years later, the WHO FCTC still not been referred to the  
17 Senate. As a major base for tobacco production and manufacturing and an  
18 influential world power, the United States has a responsibility to ratify the  
19 framework and take a more active role in both domestic and international tobacco  
20 control; and

21       **WHEREAS**, According to the American Heart Association, twenty three  
22 percent (23%) of American men and eighteen percent (18%) percent of American  
23 women over the age of eighteen (18) smoke. In addition, twenty eight percent  
24 (28%) percent of Americans are exposed to secondhand smoke, which causes an  
25 estimated three thousand (3,000) lung cancer and forty-six thousand (46,000) heart  
26 disease deaths each year; and

1       **WHEREAS**, Research studies have found that kids are three (3) times as  
2 sensitive to tobacco advertising than adults and are more likely to be influenced to  
3 smoke by cigarette marketing than by peer pressure; and that a third of underage  
4 experimentation with smoking is attributable to tobacco company advertising and  
5 promotion; and

6       **WHEREAS**, In the United States, four thousand (4,000) youth under the age  
7 of eighteen (18) try smoking for the first time each day and one thousand (1,000)  
8 youth under the age of eighteen (18) become new regular smokers, daily smokers  
9 each day; and

10       **WHEREAS**, 800 million, roughly \$2 billion per year in sales revenue, is  
11 consumed by our nations youth everyday and 19.8% of boys and 19.1% of girls in  
12 high school are current smokers; and

13       **WHEREAS**, According to the Department of Public Health and Social  
14 Services, tobacco use is increasing among Guam's middle school children, over  
15 sixty percent (60%) of cancers on Guam are due to tobacco, sixty six percent  
16 (66%) of Guam's students are exposed to second hand smoke on Guam, and at  
17 least one person everyday dies from tobacco use; and

18       **WHEREAS**, \$96 billion is the total annual public and private health care  
19 expenditures caused by smoking and \$30.9 billion is the annual federal and state  
20 government smoking-caused Medicaid payments and \$27.4 billion is the federal  
21 government smoking-caused Medicare expenditures each year; and

22       **WHEREAS**, the Annual health care expenditures solely from secondhand  
23 smoke exposure is \$4.98 billion and \$97 billion in productivity losses is caused  
24 annually by smoking; and

25       **WHEREAS**, Annually the tobacco industry spends \$10.5 billion (over \$28  
26 million daily) to market tobacco nationwide and the annual tobacco industry  
27 contributions to federal candidates, political parties, and political action

1 committees is over \$2 million and in 2010 the tobacco industry expended \$16.6  
2 million lobbying Congress in 2010; and

3 **WHEREAS**, Despite the significant health impact that tobacco use has on  
4 both smokers and non-smokers, U.S. tobacco legislation remains weak and  
5 insubstantial compared to the widely accepted WHO FCTC policy. Federal  
6 healthcare programs do not cover smoking cessation programs, and twenty-five  
7 states do not have laws banning smoking in public places; and

8 **WHEREAS**, Unfortunately, the scale of tobacco usage globally is  
9 threatening to become an epidemic of much larger proportions than any seen in the  
10 United States. By 2030, tobacco use is expected to be the leading cause of death in  
11 the world, killing an estimated 8 million people a year, with 80 percent of deaths  
12 occurring in low and middle-income countries; and

13 **WHEREAS**, According to the WHO, tobacco use in the developing world is  
14 rising by about 3.4 percent per year. In East Asia and the Pacific, the region of the  
15 world with the highest proportion of smokers, nearly two-thirds of all adult men  
16 smoke; and

17 **WHEREAS**, For low-income nations, tobacco use is often a double evil-  
18 creating negative consequences for both the health and economic situation.  
19 Spending on tobacco products accounts for about ten (10%) percent of the average  
20 smoker's household income in Egypt, seventeen (17%) percent in the Minhang  
21 district of China, and almost twenty (20%) percent in the Philippines—without even  
22 factoring in future medical costs and loss of productivity; and

23 **WHEREAS**, Legislation included within the WHO FCTC focuses on several  
24 key issues, including raising greater awareness of smoking's consequences,  
25 regulating tobacco advertising, and discouraging future tobacco use; and

26 **WHEREAS**, The United States has included some of these policies within  
27 the 2009 Family Smoking Prevention and Tobacco Control Act, but there are

1 policies that it failed to address. These policies include creating comprehensive  
2 education programs on the consequences of tobacco use (including its “addictive  
3 characteristics” and the side-effects of “exposure to tobacco smoke”), providing  
4 affordable and accessible tobacco cessation programs, mandating stronger warning  
5 labels on cigarette cartons, and implementing tax policy deliberately designed to  
6 reduce tobacco consumption; and

7 **WHEREAS**, Due to its failure to ratify the WHO FCTC, the U.S. has failed  
8 to become the leader in protecting public health around the world and the U.S. has  
9 an obligation to take the lead in addressing the global tobacco epidemic due to the  
10 tremendous toll in health, lives and money that tobacco use takes at home and  
11 abroad and because the U.S. is home to Philip Morris, the world’s largest  
12 multinational tobacco company; and

13 **WHEREAS**, The fact that the U.S. has signed the tobacco treaty has little  
14 practical meaning if the U.S. does not ratify it because only ratification can  
15 obligate nations to implement its provisions. The U.S. has long been the world’s  
16 scientific leader in developing public health measures that reduce tobacco use. The  
17 tobacco treaty enshrines as international law many of the solutions our own  
18 scientific community has identified; and

19 **WHEREAS**, U.S. ratification of the treaty would signal that we remain  
20 committed to advancing and implementing the science on how best to reduce  
21 tobacco use. Ratification would send a strong message to the rest of the world that  
22 the U.S. will put public health ahead of tobacco industry interests and not support  
23 the tobacco companies when they challenge other nations’ tobacco control  
24 measures as violations of trade agreements; and

25 **WHEREAS**, *I Mina 'Trent Ai Unu Na Liheslaturan Guåhan* applauds the  
26 one hundred (100) countries, representing two-thirds of the world’s population,  
27 which have ratified the treaty. These countries include major tobacco producing

1 nations such as China and Japan; countries with strong domestic tobacco control  
2 policies, such as Thailand, Australia and Norway; and countries hoping to use the  
3 treaty to improve laws and regulations, such as France and Mexico; and

4 **WHEREAS**, Ratification and effective implementation of the treaty are  
5 critical to turning the tide of the global tobacco epidemic. Tobacco use already  
6 kills nearly five million people worldwide every year. If current trends continue, it  
7 will kill 10 million a year within two decades, with seventy (70%) percent of those  
8 deaths in developing nations. These nations have been the primary targets of the  
9 tobacco companies as smoking rates have slowly declined in more developed  
10 nations; and

11 **WHEREAS**, In light of Guam's, our nations, and the global pandemic of  
12 noncommunicable diseases related to tobacco, in light of the pernicious highly  
13 addicting toxins and chemicals found in cigarettes, in light of the horrible addiction  
14 Guam's youth, our nations youth, and our global youth have suffered as a result of  
15 tobacco, in light of the escalating health care costs associated with  
16 noncommunicable diseases derived from tobacco use, in light of the heavy  
17 influence the tobacco lobby has wielded over our leaders, and particularly in light  
18 of the \$40 billion in 2010 the U.S. tobacco industry raked in from more than 100  
19 companies despite increased regulations, the people of Guam and their duly elected  
20 representatives from the 31<sup>st</sup> Guam Legislature, call upon President Barak Obama  
21 to support the World Health Organization Framework Convention on Tobacco  
22 Control; now, therefore, be it

23 **RESOLVED**, that *I Mina 'Trent Ai Unu Na Liheslaturan Guåhan* does  
24 hereby, on behalf of the people of Guam, request that United States Senate ratify  
25 the World Health Organization Framework Convention on Tobacco Control; and  
26 be it further

1       **RESOLVED**, that *I Mina 'Trent AI Unu Na Liheslaturan Guåhan* does  
2 hereby, support the implementation and guidelines of the World Health  
3 Organizations Framework Convention on Tobacco Control on Guam, in the USA,  
4 and throughout the world; and be it further;

5       **RESOLVED**, that the Speaker certify, and the Legislative Secretary attest to,  
6 the adoption hereof, and that copies of the same be thereafter transmitted to the  
7 Honorable Barak Obama, President of the United States, to the Honorable Hillary  
8 Clinton, United States Secretary of State, to the Honorable Susan Rice, United  
9 States Ambassador to the United Nations, to the Honorable John Boehner, Speaker  
10 of the United States House of Representatives; to the Honorable Harry Reid,  
11 Majority Leader of the United States Senate; to the Honorable Nancy Pelosi,  
12 Minority Leader, United States House of Representatives, to the Honorable Tom  
13 Harkin, Chairman of the Senate Health, Education, Labor and Pensions  
14 Committee; to Dr. Margaret Chan, Director-General of the World Health  
15 Organization; and to the Honorable Edward J.B. Calvo, *I Maga'lahaen Guåhan*.

**DULY AND REGULARLY ADOPTED BY THE COMMITTEE ON RULES  
OF I MINA'TRENTAI UNU NA LIHESLATURAN GUAHAN ON THE -----  
DAY OF SEPTEMBER 2011.**

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**JUDITH T. WON PAT, Ed.D.**  
**Speaker**

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**RORY J. RESPICIO**  
**Chairperson, Committee on Rules**

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**TINA ROSE MUÑA BARNES**  
**Legislative Secretary**