



Office of the Speaker Judith T. Won Pat, Ed.D.

Kumiten Idukasion Tinakhelo', Kottura, Laibirihan Pubbleko siha yan Asunton Famalao'an
Committee on Higher Education, Culture, Public Libraries, and Women's Affairs

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GUAM COMMISSION ON
DECOLONIZATION

GUAM FIRST
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(PREL)

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CHAIR**

PACIFIC ISLAND
DEVELOPMENT BANK
(PIDB)

MEMBER

FESTIVAL OF THE
PACIFIC ARTS
(FESTPAC)

April 27, 2015

The Honorable Rory J. Respicio
Chairperson
Committee on Rules
I Mina' Trentai Tres Na Liheslatuaran Guahan
32nd Guam Legislature
155 Hesler Place
Hagatna, Guam 96910

RE: Primary Sponsor's report on Resolution No. 39-33 (COR)

Dear Chairperson Respicio:

Transmitted herewith is the Primary Sponsor's report on Resolution No. 39-33 (COR) - Relative to petitioning the United States Congress to amend the Radiation Exposure Compensation Act of 1990 to include Guam and to improve and increase compensation for those affected by ionizing radiation.

Committee votes are as follows:

<u>10</u>	TO DO PASS
<u> </u>	TO NOT PASS
<u> </u>	TO REPORT OUT ONLY
<u> </u>	TO ABSTAIN
<u> </u>	TO PLACE IN INACTIVE FILE

Senseramente,

Judith T. Won Pat, Ed.D.

2015 APR 20 PM 2:18



OFFICE OF THE SPEAKER JUDITH T. WON PAT, ED.D.

KUMITEN IDUKASION TINAKHELO', KOTTURA, LAIBIRIHAN PUPBLEKO SIHA YAN ASUNTON FAMALAO'AN
COMMITTEE ON HIGHER EDUCATION, CULTURE, PUBLIC LIBRARY, AND WOMEN'S AFFAIRS

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PRIMARY SPONSOR'S REPORT

ON

RESOLUTION NO. 39-33(COR)

“Relative to petitioning the United States Congress to amend the Radiation Exposure Compensation Act of 1990 to include Guam and to improve and increase compensation for those affected by ionizing radiation.”



Office of the Speaker Judith T. Won Pat, Ed.D.

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(FESTPAC)

April 27, 2015

MEMORANDUM

TO: Members of the Committee on Rules

FROM: Speaker Judith T. Won Pat, Ed.D.

SUBJECT: Primary Sponsor's Report on Resolution No. 39-33 (COR)

Transmitted herewith for your consideration is the Primary Sponsor's Report on Resolution No. 39-33 (COR) - Relative to petitioning the United States Congress to amend the Radiation Exposure Compensation Act of 1990 to include Guam and to improve and increase compensation for those affected by ionizing radiation.

This report includes the following:

- Primary Sponsor's Vote Sheet
- Primary Sponsor's Report Digest
- Resolution No. 39-33 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- Copy of COR Referral
- Notices of Public Hearing
- Public Hearing Agenda


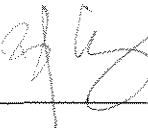


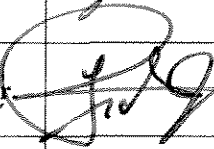





Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Senseramente,

Judith T. Won Pat, Ed.D.

PRIMARY SPONSOR'S VOTING SHEET

Resolution No. 39-33 (COR) – Relative to petitioning the United States Congress to amend the Radiation Exposure Compensation Act of 1990 to include Guam and to improve and increase compensation for those affected by ionizing radiation.

	SIGNATURE	TO PASS	NOT TO PASS	TO REPORT OUT ONLY	ABSTAIN DUE TO POTENTIAL CONFLICT	TO PLACE IN INACTIVE FILE
Speaker Judith T. Won Pat, Ed.D.,		✓ 4/27/15				
Vice Speaker Benjamin J.F. Cruz		✓ 4/27/15				
Senator Tina R. Munabarnes						
Senator Rory J. Respicio		✓ 4-27-15				
Senator Thomas C. Ada		✓				
Senator Frank B. Aguon, Jr.		✓ 4/27/15				
Senator Dennis G. Rodriguez, Jr.		✓ 4/27				
Senator Michael F.Q. San Nicolas		✓ 4-27-15				
Senator Nerissa Bretania Underwood, Ph.D.		✓ 4-27-15				
Senator V. Anthony Ada		✓ 4/27				
Senator Mary Camacho Torres		✓ 4/27/15				

Primary Sponsor's Report Digest

I. OVERVIEW

Speaker Judith T. Won Pat, Ed.D. convened a public hearing on Thursday, April 23, 2015 at 2:00 p.m. in *I Liheslatura's* Public Hearing Room. Among the items on the public hearing agenda was Resolution No. 39-33 (COR) - Relative to petitioning the United States Congress to amend the Radiation Exposure Compensation Act of 1990 to include Guam and to improve and increase compensation for those affected by ionizing radiation.

As the primary sponsor of Resolution No. 39-33 (COR) Speaker Won Pat, Ed.D. was required by § 2103 (b) of Title 2 Guam Code Annotated to conduct a public hearing, because it is a substantive resolution to be transmitted to the U.S. President and members of the U.S. Congress.

Public Notice Requirements

Public Hearing notices were disseminated via email to all senators and all main media broadcasting outlets on April 16, 2015 (5-Day Notice) and again on April 20, 2015 (48-Hour notice). Copies of the emails are appended to the report.

Senators Present

Speaker Judith T. Won Pat, Ed.D., Primary Sponsor
Senator Thomas A. Morrison

Testifying on Resolution No. 52-33 (COR)

Mr. Robert Celestial
Berthena Meno
Mr. John Farnum
Mr. Peter Blas
Ms. Leocadia T. Atogue (Written Testimony Only)

II. SUMMARY OF TESTIMONY AND DISCUSSION

- **Speaker Won Pat Ed.D.:** First, I'd like to recognize former senators Angel Santos, Carmen Fernandez, Mark Forbes and Ben Pangelinan for championing this cause. The Radiation Exposure Compensation Act basically provides compensation and partial restitution to

individuals or their surviving beneficiaries for hardships associated with exposure to ionizing radiation resulting from nuclear test development and testing programs by the United States.

From 1946 to 1962, the United States detonated 67 nuclear devices in and around the Marshall Islands, causing radioactive fallout to be carried in the atmosphere to Guam, where it settled into the environment causing multiple health and environmental issues. Also, the ships that were present in the Marshall Islands during the nuclear testing were decontaminated in Guam harbors with acidic detergents. The runoff from these operations went directly into the local fishing and reef environments. Reports from the United States Navy indicated full knowledge of Guam's radiation exposure; however, they failed to warn the local population.

For over two decades, Guam has petitioned Congress to be included in the Radiation Exposure Compensation Act as "downwinders" who have suffered from radiation exposure during the United States' nuclear testing in the Marshall Islands. There is undoubtedly a correlation between Guam's exposure to radiation and the island's high incidences of cancer. Guam's inclusion in RECA is long overdue.

There are currently two measures in the United States Congress introduced by Senator Mike Crapo (D-N.M) and Congressman Ben Ray Lujan (D-N.M) in their respective Houses of Congress to amend RECA. These proposed amendments would expand the "downwind" areas covered by RECA to include Guam for the Pacific tests. The amendments would also allow equal compensation of \$150,000 for all claimants. The resolution we are here to discuss today supports these bills and encourages Congress to finally provide compensation to those who have suffered from radiation exposure on Guam.

I would like to recognize the good work of Mr. Robert Celestial, who heads the Pacific Association for Radiation Survivors. He has been on the forefront of this issue for Guam for many years and his hard work with the assistance of others made it possible to have Guam included as down winders in past congressional legislation and the current congressional legislations.

Mr. Celestial will be making a presentation before us to explain the history of the RECA program and why Guam was recommended to be included as a down winder site by the National Academy of Sciences.

- **Mr. Celestial** introduced himself a retired United States Army sergeant and the current President of Pacific Association of Radiation Survivors. He stated that he will be presenting a short synopsis of how Guam was exposed to nuclear fallouts.

Slide #1. The photo of past members of PARS

Mr. Celestial showed a photo of past members of PARS

Slide # 2. Photos of past supporters

Mr. Celestial paid tribute to the past supporters of Guam's quest to be included in RECA the late Speaker Tony Unpingco, the late Senator Angel Santos, the late Senator Pangelinan, the late Mr. William Brady, the late Mr. Mark Purdey. He elaborated that Mr. Brady was the health physicist that testified on Guam's behalf before the National Academy Health Science in the year 2000. He stated that Mr. Purdey who came to Guam years ago to test the soil, water and animals and he wrote in his findings in the Eisneor Medical Journal about neuro-degenerative disease on the isle of Guam.

Slide #3. Photo of the first hydrogen bomb detonated in the Pacific, Enewetok Atoll in November 1, 1956.

Mr. Celestial stated from 1946 to 1962, the United States detonated 66 Nuclear/Hydrogen bombs in the Marshall Islands with 43 detonations taking place on Enewetok Atoll. He stated that on November 1, the United States detonated the first hydrogen bomb.

Slide #4. Photo of Enewetok Atoll.

Mr. Celestial stated that in 1977 he was stationed on Enewetok, an atoll in the Marshall Islands, where 43 nuclear bombs were detonated either on the surface, subsurface, and underwater. He stated that he was assigned to clean up the nuclear debris.

Slide #5. Map of photo of Marianas/ Pacific Region.

Mr. Celestial pointed out that Guam is approximately 1200 miles west from Enewetok Atoll and is completely straight downwind. He stated that every time a nuclear detonation took place Guam would be in the path of the nuclear fallouts.

Slide #6. Map of photo with radius of the area.

Mr. Celestial explained the radius of the other islands that 27 nuclear bombs were detonated.

Slide #7. Photo with Mr. Bert Schreiber and Robert Celestial.

Mr. Celestial stated that on November 1, the United States detonated the first hydrogen bomb, several days later Lt. Charles Bert Schreiber who was stationed on Guam was the Radiological Safety Officer, he detected high level of radioactivity on his Geiger counter. Lt. Schreiber could not reveal the information because it was classified until 1994. (Lt. Schreiber submitted written testimony to the National Academy of Science testifying Guam's exposure to radiation fallout.)

Slide #8. Photo of precipitation pattern and water currents in the area.

Mr. Celestial showed a photo of the precipitation pattern and the water currents, demonstrating how it affected Guam.

Slide #9. RECA Logo.

Mr. Celestial explained the Radiation Exposure Compensation Act was enacted 1990. He stated that this is compassionate payments to persons with specified diseases because of the fallout from atmospheric atomic, regardless of whether causation can be scientifically established.

Slide #10. President George Bush statement on the signing of RECA.

Mr. Celestial read President Bush's statement on RECA.

Statement on Signing the Radiation Exposure Compensation Act

October 15, 1990

I am today signing into law H.R. 2372, the "Radiation Exposure Compensation Act." This bill establishes new entitlement programs for persons physically present in areas near the Nevada Nuclear Test Site during atomic testing at the site.

Atmospheric testing of atomic devices -- important to national security during the darkest days of the "cold war" -- ended in 1963 when, under President Kennedy, the United States signed and ratified the Limited Test Ban Treaty. Prior to the Treaty, the United States detonated over 200 atomic devices in the open air, in both the South Pacific and in Nevada.

The bill provides compassionate payments to persons with specified diseases who fear that their health was harmed because of fallout from atmospheric atomic testing at the Nevada test site, regardless of whether causation can be scientifically established. The bill entitles each person meeting specific criteria to a payment of \$50,000. Uranium miners meeting separate criteria will be entitled to compassionate payments in the amount of \$100,000. These payments fairly resolve the claims of persons present at the test site and of downwind residents, as well as claims of uranium miners.

The bill, which is fiscally responsible, establishes a trust fund, and \$100,000,000 is authorized to be appropriated to be paid into the fund.

H.R. 2372 is the result of close cooperation between the Administration and the Congress. As a result of the Administration's initial concerns, many earlier objections have been addressed, and the bill has been vastly improved. This legislation establishes a compensation system in the executive branch that can be administered efficiently and permit eligible claimants to receive compensation without the expense and delay of traditional litigation.

George Bush

Slide #11. Photo of U.S. Secretary Hazel O'Leary , 1993-1997

Slide #12. Photo of President Clinton and Dr. Ruth Faden.

Mr. Celestial stated that Secretary O'Leary, United States of Energy appealed to President Clinton to declassify nuclear records. He stated that the declassification led to the creation of the Advisory Committee on Human Radiation Experiments headed by Dr. Ruth Faden.

Slide #13. Chronology of history of the Radiation Committee

Mr. Celestial read the background of the radiation committee.

On January 15, 1994, President Clinton appointed the Advisory Committee on Human Radiation Experiments. The President created the Committee to investigate reports of possibly unethical experiments funded by the government decades ago.

The members of the Advisory Committee were fourteen private citizens from around the country: a representative of the general public and thirteen experts in bioethics, radiation oncology and biology, nuclear medicine, epidemiology and biostatistics, public health, history of science and medicine, and law.

President Clinton asked us to deliver our recommendations to a Cabinet-level group, the Human Radiation Interagency Working Group, whose members are the Secretaries of Defense, Energy, Health and Human Services, and Veterans Affairs; the Attorney General; the Administrator of the National Aeronautics and Space Administration; the Director of Central Intelligence; and the Director of the Office of Management and Budget. Some of the experiments the Committee was asked to investigate, and particularly a series that included the injection of plutonium into unsuspecting hospital patients, were of special concern to Secretary of Energy Hazel O'Leary. Her department had its origins in the federal agencies that had sponsored the plutonium experiments. These agencies were responsible for the development of nuclear weapons and during the Cold War their activities had been shrouded in secrecy. But now the Cold War was over.

Slide #14. Human Radiation Experiments Advisory Committee's Final Report.

Mr. Celestial read an excerpt of the radiation committee's final report.

Between April 1994 and July 1995, the Advisory Committee held sixteen public meetings, most in Washington, D.C. In addition, subsets of Committee members presided over public forums in cities throughout the country. The Committee heard from more than 200 witnesses and interviewed dozens of professionals who were familiar with experiments involving radiation. A special effort, called the Ethics Oral History Project, was undertaken to learn from eminent physicians about how research with human subjects was conducted in the 1940s and 1950s.

We were granted unprecedented access to government documents. The President directed all the federal agencies involved to make available to the Committee any documents that might further our inquiry, wherever they might be located and whether or not they were still secret.

Slide #15. Radiation Exposure and Compensation Act.

Mr. Celestial explained that the Radiation Exposure Compensation (RECA) act was enacted into law in 1999 (Public Law 101-426), it requires the federal government to compensate individuals who developed diseases due to unintended exposure to radiation from atomic testing fallout, and that is why we are here today to support the resolution endorsing the inclusion of Guam.

He stated that there are two bills introduced in Congress, the legislations includes Guam to be part of the radiation exposure compensation act, because the people didn't know that we were being exposed to the nuclear fallout from 1946-1962. He stated that RECA sets conditions that must be met such as certain list of cancers in order to receive compensation. Since the 107th Congress there have been numerous legislation introduced to amend RECA to include Guam.

Slide #16 . RECA Five Categories.

Mr. Celestial provided five claimant categories:

Onsite participants;
Downwinders;
Uranium Ore Transporters;
Uranium Millers and
Uranium Miners.

Mr. Celestial stated that Guam is categorizes as downwinders.

Slide #17. RECA 2000 Amendments.

Mr. Celestial enlightened the Senators and the members of the public about RECA. He stated on July 10, 2010, Public Law 106-245, the Radiation Exposure Compensation Act Amendment of 2000 was passed and it was introduced by Senator Hatch. The amendments were one of many bills introduced in the 106th Congress with the intent to amend the existing law. Most significant, the 2000 Amendment added the two new claimant categories, uranium mill workers and ore transporter; it provided additional compensable illnesses, lowered the radiation exposure threshold for uranium miners, included above ground miners within the definition of "uranium miner". It also modified medical documentation of requirements and removed certain lifestyle restrictions. Which means that at that time if you smoked you probably wouldn't get heard so they took that out that's what they mean by certain lifestyle restriction it also added additional geographical area of downwind claimants and that is how he believes Nevada, Utah and Arizona were included.

Slide # 18. RECA 1990 & 2000 Amendments – Guam.

1990 RECA amendments Guam gets into the RECA picture.

Slide # 19. Radiation Fallout- Guam

Mr. Celestial stated that he wrote a four-page report (the Celestial Report) that provided information about Guam's exposure to nuclear radiation. He submitted the report to the Governor of Guam, Guam Delegate's Office, Archbishop of Agana,

Slide # 20. 26th Guam Legislature commissioned the "Blue Ribbon Panel"

Mr. Celestial stated that the 26th Guam Legislature created a legislative committee known as the "Blue Ribbon Panel". Speaker Unpingco appointed Senator Angel Santos and Senator Mark Forbes as co-chairpersons. Dr. Chris Perez was the chairperson and he (Mr. Celestial) was a member of the committee. He stated that he was tasked with the collection of declassified documents to be part of the Blue Ribbon Panel Committee Action Report on Radioactive contamination in Guam between 1946 thru 1962. The 97 page report was edited by Mr. Wil Castro and Mr. Shawn Briscoe. The report was submitted to the Board on Radiation Effects Research.

Slide #21. Board on Radiation Effects Research Committee.

Mr. Celestial stated that in 2002, Congress mandated the Human Resources Services Administration in accordance with Public Law 107-206 to task Board on Radiation Effects Research (BRER) to conduct additional studies on radiation effects. The Board invited Guam to testify and to provide evidence that Guam was exposed to nuclear fallouts.

Slide # 22. [read slide verbatim; see attached]

Mr. Celestial stated in January 2004, he communicated with Dr. Isaf Al-Nabulsi a senior study Director for the Board on Radiation Effects Research concerning Guam's exposure to nuclear fallouts. Mr. Celestial stated that Dr. Chris Perez, Dr. Wes Youngberg and Dr. Pablo Guzman submitted letters to Dr. Isaf Al-Nabulsi requesting that Guam be included in RECA. In February 2004, Dr. Isaf Al-Nabulsi invited the Doctors and himself to attend the March 2004 BRER Hearing in Washington D.C. before the National Academy of Science.

Slide #23. Photo of Senator Carmen Fernandez, Congresswoman Bordallo, Mr. Celestial and Mr. William Brady

Mr. Celestial showed a photo of Mr. Brady, who they hired to testify for Guam's behalf, former Senator Carmen Fernandez and Congresswoman Bordallo.

Slide #24. Photo of Dr. Julian Preston, Mr. Robert Celestial, and Dr. Isaf Al-Nabusi.

Mr. Celestial stated at the committee hearing held by the Board on Radiation Effects Research, the committee heard from Idaho, Montana, the Navajo Nation and Guam. All the parties were arguing why they should be included in RECA.

Slide #26. Evidence submitted to BRER.

Mr. Celestial stated that they submitted scientific studies and reports on ionizing radiation found on Guam during Pacific nuclear testing. They also submitted a sworn testimony by Lt. Bert Schreiber USN retired. Mr. Schreiber's testimony gave details about how his Geiger counters were going off the scale during his readings on Guam.

Slide #27. Decontamination of vessels on Guam.

Mr. Celestial displayed a document proving that in 1946, contaminated naval ships that were in the Marshall Islands during the nuclear testing were washed down in Guam. He stated that the Navy claimed that no naval ships were decontaminated on Guam. He presented the declassified document to the BRER and they could not refute the evidence.

Slide # 28. Assessment of the Scientific Information for the Radiation Exposure Screening and Education book.

Mr. Celestial stated that the Assessment of the Scientific Information for the Radiation Exposure Screening and Education book details the recent biologic, epidemiologic, and related scientific evidence associating radiation exposure with cancers or other impacts on human health it was published in 2005.

Slide #29. Graph of Gunned Film Data 1954-1958.

Mr. Celestial stated that the graph shows Strontium 90, it is a radio nucleic that attacks the bone and causes cancer. Salt Lake City, Utah shows the highest reading of Strontium 90 and Guam is the second highest.

Slide #32. Conclusion of BRER committee

Mr. Celestial read the conclusion from the Board on Radiation Effects Research concerning Guam.

Conclusions As a result of its analysis, the committee concludes that Guam did receive measurable fallout from atmospheric testing of nuclear weapons in the Pacific. Residents of Guam during that period should be eligible for compensation under RECA in a way similar to that of persons considered to be downwinders.

Slide #33. H.R. 2910 and Slide #34. H.R. 3379

Mr. Celestial stated that H.R. 2910 and H.R. 3379 were the first two bills introduced by Congresswoman Bordallo to include Guam as a downwinder in RECA in 2005 and 2007.

Slide #35. Radioactive half-lives

Mr. Celestial explained the radioactive half-lives and that Strontium 90 and Iodine 131 were found on Guam.

Uranium 238	4.5 billion years
Carbon 14	5730 years
Radium 226	1602 years
Cesium 137	30.14 years
Strontium 90	28.6 years
Iodine131	8.22 days
Radon 222	3.8 days

Slide # 36. Onsite Participants

Mr. Celestial shared the photos of himself and others as they cleaned up Enewetak Atoll

Slide #37. Photo from Enewetok Island

Mr. Celestial showed photos of Mr. Blas and himself, he mentioned that Mr. Blas passed away several years ago due to spinal cancer. He stated that they were both stationed at Runit Island where the United States detonated 40 nuclear bombs. He showed photos how they lived, the heavy equipment they used and how they dressed, not knowing that they would be exposed to contaminated radiation.

Slide #38. Photo from Enewetok Island.

Mr. Celestial showed photos of the post war debris that the military would line up along the island and they would detonate a nuclear bomb.

Slide # 39. Photo: Operation Cactus.

Mr. Celestial showed a photo of Rongelap Atoll, this is where they detonated an 18 kiloton nuclear bomb.

Slide #40 . Photo: Hardtarck Crater

Mr. Celestial showed a photo of a crater in which they drained out the water. The crater was the detonation point of the nuclear blast.

Slide #41. Photo: Radioactive Dome

Mr. Celestial showed a photo of a crater which they drained the out the water and they filled with radioactive debris which is now covered by a dome. He stated that reports still show the area is still contaminated.

Slide #42. and #43 Nevada Test Site

Mr. Celestial explained that certain counties of Nevada were included to RECA because they were affected by nuclear fallout.

-**Mr. Celestial** stated military personnel who were affected by nuclear radiation were awarded and classified as atomic veterans. He concluded his presentation.

- **Speaker Won Pat, Ed.D.** thanked Mr. Celestial for his presentation which she described as startling and she appreciated Mr. Celestial for providing insights why past Guam Legislatures supported the inclusion of Guam in RECA.

- **Speaker Won Pat, Ed.** asked more information about the crater capped by a dome on Renuit Island

- **Mr. Celestial** replied that they drained the water out of the crater into the lagoon. After draining it out we placed concrete based and began placing radioactive debris in it.

- **Speaker Won Pat, Ed.D.** stated that she attended a forum recently and the part of the discussion was about the harmful effects of the military waste on the environment.

- **Mr. Celestial** replied that there are reports that the sands on Runit island are more radioactive than the debris inside the dome.

- **Senator Morrison** thanked Mr. Celestial for his presentation. The senator stated that a trust account was established for RECA in the amount \$100 Million. The senator asked how much is available in the account.

- **Mr. Celestial** replied that he did not have the amount available with him, but it is available at the Department of Justice website.

- **Senator Morrison** expressed his concern about the availability of monies and he will be looking into it.

- **Mr. Celestial** stated the program ends in 7 years, it is a great program, we have our foot at the door, now we have to get our entire body pass the door. He mentioned that other states are pushing to be included as downwinders in RECA. He hopes that Congress holds public hearing soon. .

- **Senator Morrison** thanked Mr. Celestial for his testimony.

- **Ms. Meno** testified in support of the resolution as a private citizen. She expressed agreement with Mr. Celestial's testimony that Guam was exposed to radiation fallout. This nuclear exposure came from the nuclear detonation that occurred from 1946 to 1962 and to include the contaminated naval ships that were washed down on Guam. She stated that we must demand justice. She read an excerpt from the Resolution No. 52-33 (COR) pertaining to Lt. Schriber discovery that Guam was exposed to radioactive fallout. She cited a report conducted by the late Senator Angel Santos that claimed our island's northern aquifer was contaminated, the senator linked the contamination with the cancer his relative had. She stated that she has family suffering from cancer and we know others who are suffering too. She stated that this is a social and environmental injustice on our people and that the legislature should pass the resolution in support of Guam being included in RECA, it is long overdue.

- **Mr. Farnum** testified in support of the resolution. He stated that he has been involved with PARS for many years and that he is how he met with Mr. Celestial. He stated that both of his parents passed away because of cancer. He opened up that he was diagnosed with cancer in 2009 and he has sought medical attention in the mainland. He stated his siblings are also suffering from cancer. He expressed that cancer changes your life in heartbeat and it does not discriminate regardless of your age. He thanked Mr. Celestial for proving that Guam was exposed to nuclear fallouts. He recommended that we need a treatment facilities to help individual with cancer. He hoped we find a solution.

- **Speaker Won Pat, Ed.** thanked Mr. Farnum for his testimony. Speaker expressed that Guam has high incidence of cancer.

- **Mr. Farnum** agreed with Speaker's statement, even his doctors back in the mainland said that Guam has a high rate of cancer.

- **Mr. Celestial** thanked the Speaker and Senator Morrison for being at the public hearing. He believes this is an important issue and just several weeks ago his niece had to seek off-island medical treatment because she has been diagnosed with cancer. Mr. Celestial stated that inclusion of Guam will not only provide compensation but free medical care.

- **Speaker Won Pat, Ed.D.** asked if Mr. Celestial had data how many people on Guam had cancer associated with the nuclear testing.

- **Mr. Celestial** stated no.

- **Speaker Won Pat, Ed.D.** stated that maybe we can obtain the information from the cancer institute at UOG.

- **Speaker Won Pat, Ed.D.** mentioned about the military practice bombing on the Puerto Rican island of Vieques and that the residents blame it for the high rates of cancer. The Speaker stated that the residents displayed crosses on their front yards due to death of a family because of

cancer. She suggested maybe we should do the same thing to demonstrate the impact that cancer has on the people of Guam.

- **Speaker Won Pat Ed.D.** stated that we should be aggressive with this issue and that she will communicate with Congresswoman Bordallo to contact Guam clubs in the mainland to lobby with their elected officials to have Guam included in RECA.

- **Speaker Won Pat, Ed.D.** concluded the public hearing on Resolution No. 39-33.

* **Mr. Blas arrived after the conclusion of the public hearing. He stated that he is in favor of Resolution No. 39-33.**




III. FINDING AND RECOMMENDATIONS

The Primary Sponsor of Resolution No. 39-33 (COR), Speaker Judith T. Won Pat, Ed.D. hereby reports out Resolution No. 39-33 (COR) with the recommendation TO PASS.

I MINA'TRENTAI TRES NA LIHESLATURAN GUÁHAN
2015 (FIRST) Regular Session

Resolution No. 39-33 (C)

Introduced by:

J. T. Won Pat, Ed.D. 
T.R. Muiña Barnes 
B.J. Cruz 

Relative to petitioning the United States Congress to *amend* the Radiation Exposure Compensation Act of 1990 to include Guam and to improve and increase compensation for those affected by ionizing radiation.

2015 MAR 19 AM 9:48 

1 **BE IT RESOLVED BY I MINA'TRENTAI TRES NA LIHESLATURAN**

2 **GUÁHAN:**

3 **WHEREAS**, the United States Government and the Atomic Energy
4 Commission conducted nuclear tests in the South Pacific from 1946 to 1962; and

5 **WHEREAS**, the Atomic Energy Commission detonated sixty seven (67)
6 nuclear devices with a total yield of one hundred eight thousand four hundred
7 ninety-two point two (108,492.2) kilotons in or around the Marshall Islands; and

8 **WHEREAS**, no less than ten (10) of those detonations yielded between
9 five (5) to ten (10) megatons of radioactive material from the center of the
10 explosion to the height of between twelve (12) to fifty-five (55) miles, into the jet-
11 stream; and

12 **WHEREAS**, on October 31, 1952 (GMT) Operation Ivy was conducted
13 on Elugelab Island (“Flora”) in the Enewetak Atoll, in which the first true
14 thermonuclear hydrogen bomb (a 10.4 megaton device) code named Mike was

1 detonated, destroying the entire island leaving behind a 6,240 foot across and 164
2 foot deep crater in its aftermath; and

3 **WHEREAS**, in 90 seconds the mushroom cloud climbed to 57,000 feet
4 into the atmosphere and within 30 minutes had stretched 60 miles in diameter
5 with the base of the mushroom head joining the stem at 45,000 feet; and

6 **WHEREAS**, radioactive fallout is the after-effect of the detonation of a
7 nuclear bomb where radioactive particles and earth debris, which comprise the
8 mushroom cloud, are released into the atmosphere and remain in the atmosphere
9 for about 24 hours before descending back to earth; and

10 **WHEREAS**, before the descent 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
13 multiple health and environmental problems; and

14 **WHEREAS**, Guam is located approximately one thousand two hundred
15 (1,200) miles directly west of the test sites; and

16 **WHEREAS**, the radioactive dust particles traveled through the westward
17 flowing jet-streams from the Marshall Islands and settled on Guam; and

18 **WHEREAS**, the sworn testimony of retired US Navy Lieutenant Charles Bert
19 Schreiber, on the fallout of the First Hydrogen Bomb Test – the detonation of Ivy
20 Mike – states, “I was the Radiological Safety Officer for the Headquarters Command
21 Guam. On or about November 3, 1952, I was making my monthly check sitting at the
22 desk in that office that was about five (5) feet from the window screens that covered
23 the wall all the way down to about a couple of inches from the floor. I took out the
24 metal calibration rod (about as big as a normal soda straw and about six (6) inches
25 long) stored in the instrument that has a small radioactive source on its end. I put the
26 counter on the low setting (it has three (3); low, medium, and high) and was ready to
27 place the rod near the detection windows (two (2) of them), but the dial needle was

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

9 **WHEREAS**, the National Research Council’s committee’s analytical
10 findings as noted on page 328 of their report corroborates Mr. Schreiber’s
11 testimony; and

12 **WHEREAS**, ships present in the Marshall Islands during the nuclear
13 testing were decontaminated in Guam harbors with acidic detergents and the
14 runoff from the operations went directly into the local fishing and reef
15 environments; and

16 **WHEREAS**, reports from the United States Navy indicated full
17 knowledge of the situation and failed to warn the local population; and

18 **WHEREAS**, on October 15, 1990 former President George H. Bush
19 signed into law H.R. 2372 (Public Law 101-426) relative to the “Radiation
20 Exposure Compensation Act” (RECA); and

21 **WHEREAS**, the law covered those who were affected by nuclear fallout
22 during atmospheric testing in Nevada and the Marshall Islands; and

23 **WHEREAS**, RECA established the Radiation Exposure Compensation
24 Program (RECP) with the Civil Division of the Department of Justice to
25 administer its responsibilities under the act; and

1 **WHEREAS**, a trust fund was instituted and \$100,000,000 was
2 appropriated for claim compensation of persons meeting a specific health criteria
3 after exposure to ionizing radiation; and

4 **WHEREAS**, in April 1992, RECP began processing claims; and

5 **WHEREAS**, on July 10, 2000, an amendment to RECA (Public Law 106-
6 245) broadened the scope of eligibility for benefit coverage to include new victim
7 categories and to modify the eligibility criteria for compensation; and

8 **WHEREAS**, the amendment set forth to extend the time period for
9 consideration and compensation and include other individuals related to nuclear
10 exposure such as uranium miners, uranium millers, ore transporters,
11 “downwinders” and onsite participants; and

12 **WHEREAS**, according to the Department of Justice and in accordance
13 with Code of Federal Regulation Title 28, part 78 – Claims under the Radiation
14 Exposure Compensation Act, Subpart E-Eligibility Criteria for Claims by Onsite
15 participants – Guam meets the eligibility criteria from the wash down of military
16 vessels/aircraft from the nuclear testing conducted at the Pacific Proving Grounds,
17 Marshall Islands; and

18 **WHEREAS**, after a meeting in 2004 between Guam leaders, Ms. Dianne
19 Spellberg, Assistant Director for Civil Division, RECP and Dr. Evan B. Douple,
20 Director of the Board on Radiation Effects Research committee, it was
21 determined that people on Guam were eligible as onsite participants and as
22 “downwinders”; and

23 **WHEREAS**, that meeting resulted in the submission of a statutory
24 amendment by Congresswoman Madeleine Z. Bordallo to the U.S. Congress to
25 amend Title 28CFR79, Subpart E, Section 79.40 in order to include the
26 population of Guam in the RECA and RECP;

1 **WHEREAS**, Ms. Isaf Al-Nabulsi PhD., Senior Study Director of the
2 Board on Radiation Effects Research (BRER) invited W. Chris Perez M.D., Dr.
3 Wesley Youngberg MPH, Mr. Robert N. Celestial, and Delegate Madeleine Z.
4 Bordallo to attend a committee hearing in Washington, D.C.; and

5 **WHEREAS**, a Guam delegation, composed of Delegate Bordallo, Senator
6 Carmen Fernandez, and Mr. Robert Celestial presented oral testimony and
7 submitted documented evidence before the Committee to Assess the Scientific
8 Information for the Radiation Exposure Screening and Education Program, under
9 the auspices of the National Research Council and mandated by Congress; and

10 **WHEREAS**, Senator Tom Udall (D-N.M) and Congressman Ben Ray
11 Lujan (D-N.M) have introduced legislation in their respective Houses of Congress
12 to expand RECA which included Guam as one of the amendments in 2010 as S.
13 3224 and H.R. 5119, and in 2011 as S. 791 and H.R. 1490 and in 2013 as S. 773
14 and H.R. 1645; and the Guam Legislature has consistently urged and supported
15 the expansion of RECA to include Guam as a downwind site, and has delivered to
16 the U.S. Congress and to the President of the United States evidence of its support
17 through Guam Legislature Resolution 73 (2005), Resolution 5 (2007), Resolution
18 30-62 (2009), Resolution 171-31 (2011) and Resolution 127-32 (LS) (2013); and

19 **WHEREAS**, on February 2, 2015, Mike Crapo (R-ID) along with Senator
20 Tom Udall (D-N.M), Senator Michael F. Bennet (D-CO), Senator Martin
21 Heinrich (R-NM) and Senator James E. Risch (R-ID) introduced S. 331 in the
22 U.S. Senate to amend "Radiation Exposure Compensation Act of 1990"; and

23 **WHEREAS**, on February 13, 2015, Congressman Ben Ray Lujan (D-N.M)
24 along with Congressman Raul M. Grijalva (D-AZ-3), Congresswoman Michelle
25 Lujan Grisham (D-NM-1), Congresswoman Ann Kirkpatrick (D-AZ-1),
26 Congressman Ed Perlmutter (D-CO-7), Congresswoman Dina Titus (D-NV-1)
27 and Congressman Stevan Pearce (R-NM-2) introduced H.R. 994 in the U.S.

1 House of Representatives to amend "Radiation Exposure Compensation Act of
2 1990"; and

3 **WHEREAS**, the proposed amendment will expand the "downwind" areas
4 covered by RECA to include all of Arizona, Nevada, New Mexico, Colorado,
5 Idaho, Montana, and Utah for the Nevada Test Site; New Mexico for the
6 "Trinity" Test Site; and Guam for the Pacific tests; and

7 **WHEREAS**, the amendment would allow for all claimants equal
8 compensation of \$150,000 regardless if they are milers, miners, ore transporters,
9 onsite participants or "downwinders"; and

10 **WHEREAS**, the amendment to the act, known as the "Radiation
11 Exposure Compensation Act Amendments of 2015" will extend the fund claims
12 for nineteen (19) years; and

13 **WHEREAS**, the Guam Legislature unequivocally supports the proposed
14 Amendments to RECA which would include Guam as a downwind area and
15 does continue to support and urge the passage of RECA amendments to include
16 Guam as a downind area, and does specifically support the passage of S. 331 and
17 H.R. 994; now, therefore be it

18 **RESOLVED**, that I *Mina'Trentai Tres Na Liheslaturan Guahan* does
19 hereby, on behalf of the people of Guam, urgently petition the United States
20 Congress to expand the "Radiation Exposure Compensation Act of 1990", Public
21 Law 101-426, as amended by Public Law 101-510, 3139 (42 US.C. 2210) and
22 Public Law 106-245 to include Guam as a downwind area, and to increase and
23 improve the compensation to Guam and the other states covered by the RECA
24 and to pass S. 331 and H.R. 994; and be it further

25 **RESOLVED**, that the Speaker and the Legislative Secretary attest to the
26 adoption hereof and that copies of the same be thereafter transmitted to the
27 Honorable Barack Hussein Obama II, President of the United States of America; to

1 the Honorable Mike Crapo, Member of Congress, United States Senate; to the
2 Honorable Tom Udall, Member of Congress, United States Senate; to the
3 Honorable Michael Bennett, Member of Congress, United States Senate; to the
4 Honorable Martin Heinrich, Member of Congress, United States Senate; to the
5 Honorable James E. Risch, Member of Congress, United States Senate; to the
6 Honorable Chuck Grassley, Chairman, Committee on the Judiciary, United States
7 Senate; to the Honorable Patrick J. Leahy, Ranking Member, Committee on the
8 Judiciary, United States Senate; to the Honorable Ben Ray Luján, Member of
9 Congress, U.S. House of Representatives; to the Honorable Raul M. Grijalva,
10 Member of Congress, U.S. House of Representatives; to the Honorable Michelle
11 Lujan Grisham, Member of Congress, U.S. House of Representatives; to the
12 Honorable Ann Kirkpatrick, Member of Congress, U.S. House of Representatives;
13 to the Honorable Ed Perlmutter, Member of Congress, U.S. House of
14 Representatives; to the Honorable Dina Titus, Member of Congress, U.S. House
15 of Representatives; to the Honorable Stevan Pearce, Member of Congress, U.S.
16 House of Representatives; to the Honorable Bob Goodlatte, Chairman, Committee
17 on the Judiciary, United States House of Representatives; to the Honorable John
18 Conyers, Jr., Ranking Member, Committee on the Judiciary, United States House
19 of Representatives; to the Honorable Fred Upton, Chairman, Committee on Energy
20 and Commerce, United States House of Representatives; to the Honorable Frank
21 Pallone, Jr., Ranking Member, Committee on Energy and Commerce United States
22 House of Representatives; to the Honorable John Kline, Chairman, Committee on
23 Education and the Workforce, United States House of Representatives; to the
24 Honorable Robert Scott, Ranking Member, Committee on Education and the
25 Workforce, United States House of Representatives; to the Honorable Madeleine
26 Z. Bordallo, Member of Congress, U. S. House of Representatives; to Attorney
27 General Eric H. Holder, Jr., Attorney General of the United States; to Mr. Fred

1 Schafer, Managing Director - National Commander, National Association of
2 Atomic Veterans; to Mr. Bob Kilhau, Hawaii State Commander, National
3 Association of Atomic Veterans; to all the State and Area Commanders of the
4 National Association of Atomic Veterans; to Mr. Robert N. Celestial, PARS
5 President; and to the Honorable Edward B. Calvo, *I Maga'lahaen Guahan*.

**DULY AND REGULARLY ADOPTED BY *I MINA'TRENTAI TRES NA*
LIHESLATURAN GUÁHAN ON THE _____ DAY OF _____**

JUDITH T. WON PAT, Ed.D.
Speaker

TINA ROSE MUÑA BARNES
Legislative Secretary

Office of Speaker Judith T. Won Pat, Ed.D.

SIGN-IN SHEET
PUBLIC HEARING

April 23, 2015
2:00 p.m

Resolution No. 39-33 (COR) "Relative to petitioning the United States Congress to amend the Radiation Exposure Compensation Act of 1990 to include Guam and to improve and increase compensation for those affected by ionizing radiation."

NAME	AGENCY OR ORGANIZATION (IF ANY)	SUPPORT? OPPOSE?	WRITTEN TESTIMONY	ORAL TESTIMONY	CONTACT NUMBER	EMAIL ADDRESS
Berthelina Mendez	Citizen	Support		✓	864-6464	
Robert N. Celestial	PARS	Support		✓	688-7277	
PETER E. BLAZ	PARS	SUPPORT			727-5051	PBLAZ@PORTGUAM.COM
John Farain	Citizen	support		✓		



PARS Members 2013



To: 32nd Guam Legislature
Resolution to include Guam in the
Radiation exposure compensation Act 2013



PARS First Group Members and Present



A Tribute for their sacrifice and dedication



Late Speaker Tony Umpingo



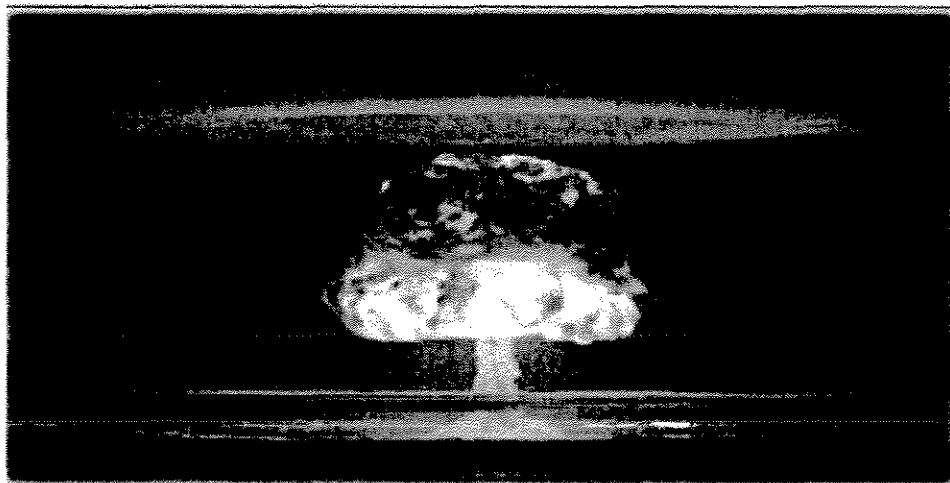
Late Senator Angel L.B. Santos



Late Mr. William Brady
Health Physicist

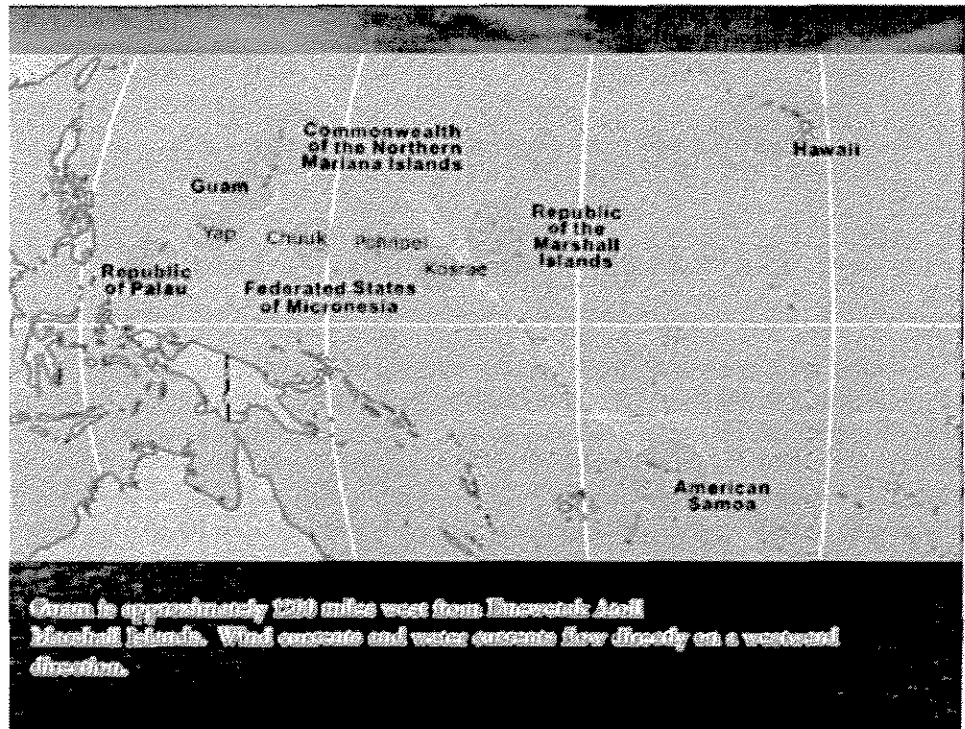
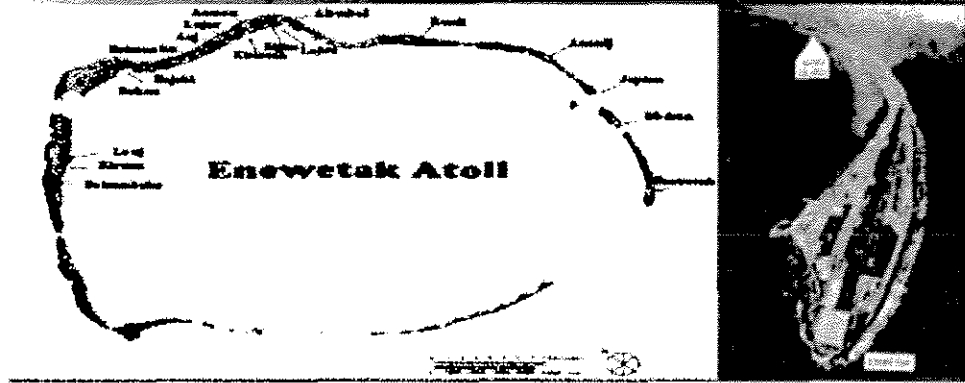
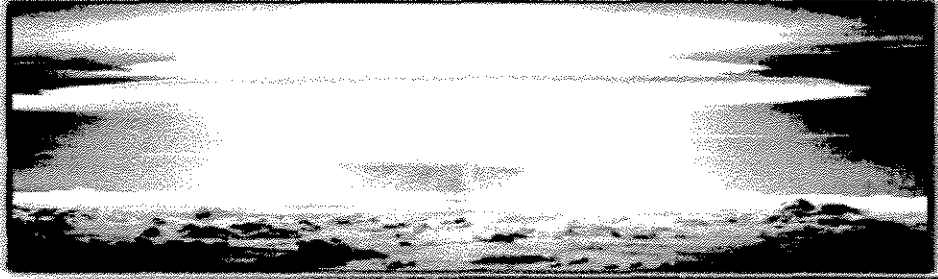


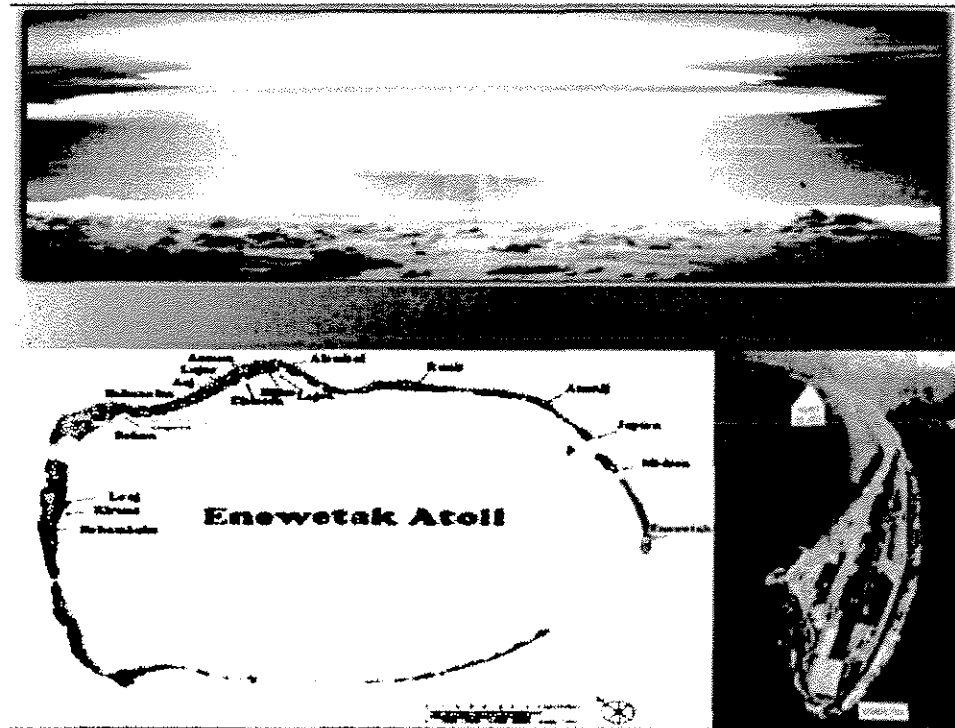
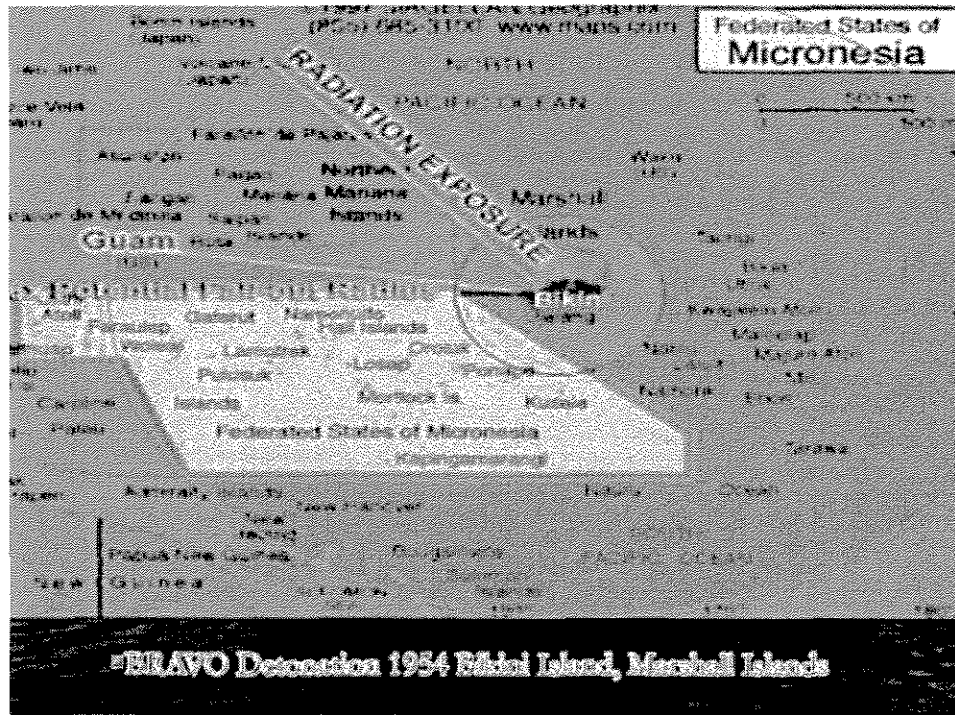
Late Mr. Mark Purdey
U.K. Scientist



1948-1962, the United States detonated 66 NuclearHydrogen bomb in the Marshall Islands with 43 detonations at Eniwetok Atoll.

Photo from the first Hydrogen bomb detonated in the Pacific. Eniwetok Atoll
November 1, 1952.



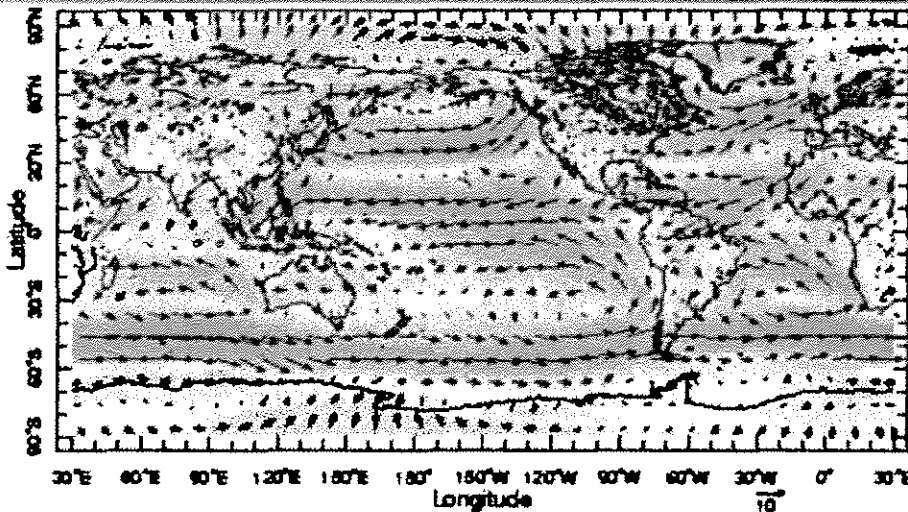


Lt. Bert Schreiber, retired U.S. Navy, was the Radiological, Biological, and Chemical Officer Stationed on Guam on November 3rd, 1952.

- > Lt. Schreiber's sworn testimony was submitted to the BIRER committee.
- > "The Geiger counters were off the scale" in November 1952 (Guam).



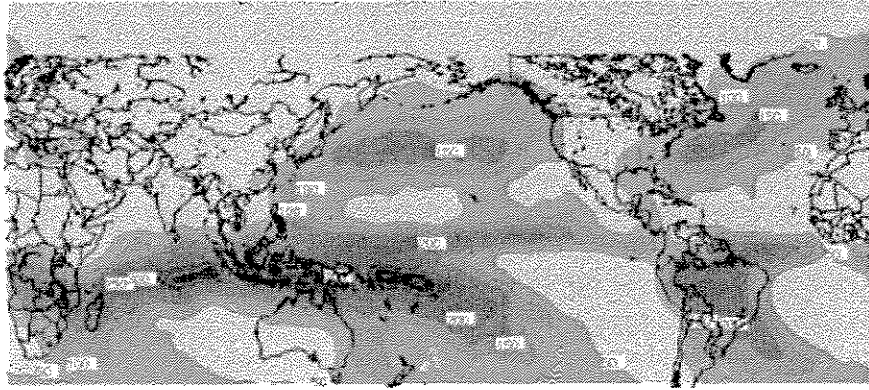
Atomic Energy Tests cont'd



925 mb Dec-Feb 1961

Atomic Energy Tests cont'd

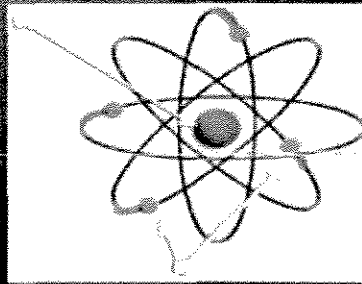
Precipitation patterns (Oceania)



Jan

R.E.C.A.

Radiation Exposure Compensation Act



Enacted in 1990 (compassionate payments)

The American Presidency Project: Clinton Presidency and • George Bush Statement on Signing the Radiation Exposure Compensation Act October 15th, 1990

I am today signing into law H.R. 2072, the "Radiation Exposure Compensation Act." The bill establishes a new, streamlined program for persons physically present in areas near the Nevada test site who are suffering from cancer.

Atmospheric testing of atomic devices — important to national security during the Cold War — ended in 1962 when, under President Kennedy, the United States signed and ratified the Limited Test Ban Treaty. Prior to the treaty, the United States detonated over 200 atomic devices in the open air, in both the South Pacific and in Nevada.

The bill provides compassionate payments to persons with specified diseases who fear that their health was harmed because of fallout from atmospheric atomic testing at the Nevada test site, regardless of whether causation can be scientifically established. The bill creates such compassionate payments to a maximum of \$50,000. Payment of the maximum compassionate amount will be denied to compassionate payments in the amount of \$10,000. Compassionate payments fairly resolve the claims of persons present at the test site and of downwind residents, as well as claims of another nation.

The bill, which is nearly bipartisan, establishes a trust fund, and \$300,000,000 is authorized to be appropriated to be paid into the fund.

H.R. 2072 is the result of close cooperation between the Administration and the Congress. As a result of the Administration's initial concerns, many complex questions have been addressed, and the bill has been greatly improved. This legislation establishes a compensation system in the executive branch that can be administered efficiently and permit eligible claimants to receive compensation without the expense and delay of traditional litigation.

George Bush

The White House

October 28, 1990. Clifton: John Wesley and Gerard Peters, *The American Presidency Project* (Journal of Legal Studies, c/o University of California, Downey), Gerard Peters (peters@ucdavis.edu). Available from World Wide Web (<http://www.presidency.ucsb.edu/vw1/p10-1990/>).

1994 U.S. Secretary of Energy appeals to President William Clinton



**U.S. Secretary of Energy Hazel O'Leary
1993-1997**

President W. Clinton appoints Dr. Ruth Faden as Chair of a special advisory committee (Human Radiation Experiments) 1994



**President William Clinton
1993-2001**



**Dr. Ruth Faden
Executive Director of the Fiacco R.
Berman Bioethics Institute
John Hopkins University**

**Human Radiation Experiments
Advisory Committee Established 1994**

THE CREATION OF THIS ADVISORY COMMITTEE

On January 13, 1994, President Clinton announced the *Advisory Committee on Human Radiation Experiments*. The President stated that the committee would investigate reports of possibly unethical experiments funded by the government during the 1940s.

The members of the Advisory Committee were famous private citizens from around the country: a representative of the general public and citizens experts in bioethics, radiation oncology and biology, epidemiology, epidemiology and biostatistics, public health, history of science and medicine, and law.

President Clinton asked us to deliver our recommendations to a Cabinet-level group, the Human Radiation Interagency Working Group, whose members are the Secretaries of Defense, Energy, Health and Human Services, and Veterans Affairs; the Attorney General; the Administrator of the National Aeronautics and Space Administration; the Director of Central Intelligence; and the Director of the Office of Management and Budget. Some of the experiments the Committee was asked to investigate, and particularly a series that included the injection of plutonium into war-wounded hospital patients, was of special concern to Secretary of Energy Hazel O'Leary. Her department had its origin in the federal agencies that had sponsored the plutonium experiments. Those agencies were responsible for the development of nuclear weapons and during the Cold War their activities had been shrouded in secrecy. But now the Cold War was over.

Human Radiation Experiments Advisory Committee's Final Report (1995)

Between April 1994 and July 1995, the Advisory Committee held sixteen public meetings, most in Washington, D.C. In addition, subsets of Committee members presided over public forums in cities throughout the country. The Committee heard from more than 200 witnesses and interviewed dozens of professionals who were familiar with experiments involving radiation. A special effort, called the Ethics Oral History Project, was undertaken to learn from eminent physicians about how research with human subjects was conducted in the 1940s and 1950s. We were granted unprecedented access to government documents. The President directed all the federal agencies involved to make available to the Committee any documents that might further our inquiry, whatever they might be located and whether or not they were still secret.

RADIATION EXPOSURE & COMPENSATION

The Radiation Exposure Compensation Act (RECA) was enacted in 1990 (PL 101-426), requiring the Federal government to compensate individuals who developed disease due to the unintended exposure to radiation from atomic testing fallout.

This law also established a list of conditions to be met for compensation and a list of compensable cancers. Four bills that would amend RECA have been introduced in the 107th Congress. An additional measure, which appropriates funds to the Radiation Exposure Compensation Trust Fund through 2011, was incorporated into the Defense Reauthorization Act that has now become law.

RECA Five Categories

- Onsite Participants
- Downwinders
- Uranium Ore Transporters
- Uranium Millers
- Uranium Miners

RECA 2000 Amendments

On July 10, 2000, Pub. L. 106-245, the Radiation Exposure Compensation Act Amendments of 2000 ("the 2000 Amendments") was passed. Introduced by Senator Hatch on August 9, 1999, the Amendments were one of many bills introduced in the 106th Congress with the intent to amend the existing law. Most significantly, the 2000 Amendments added two new claimant categories (uranium mill workers and ore transporters), provided additional compensable illnesses, lowered the radiation exposure threshold for uranium miners, included above-ground miners within the definition of "uranium mines," modified medical documentation requirements, and removed certain lifestyle restrictions. It also added additional geographic areas to the downwinder claimant category.

Guam is not included
in the
RECA 1990 and RECA 2000 amendments)

- > Forgotten but not left behind
- > Guam gets into the RECA picture

Radiation Fallout Guam

- 2001 A four page report (the Celestial Report) is submitted to the Governor of Guam, Guam Delegate's Office, Archbishop of Agana, Speaker's office and all Senators
- Informing them that Guam and her residents were exposed to Radiation Fallout.

26th Guam Legislature formed the Blue Ribbon Panel.

- Co-chairpersons Senator Angel L.G. Santos & Senator Mark Forbes, Legislative Investigating Committee appointed by Speaker Antonio Urpigoas.
- Blue Ribbon Panel appointed: Dr. Chris Perez, Chairman
- Mr. Robert Celestial Blue Ribbon Panel member collects information on recently declassified documents which contributed to the;
- Blue Ribbon Panel Committee Action Report On Radioactive Contamination In Guam Between 1946-1953. (27 page report dated November 22, 2002) Mr. Wil Castro and Mr. Shawn Briscoe

Board on Radiation Effects Research Committee

- In September 2002 Congress mandates HRSA in accordance with (P.L. 107-206) to task NRC's Board on Radiation Effects Research (BRER) to conduct study
- Board on Radiation Effects Research Committee invites Guam to present oral and written testimony in Washington D.C.

- Mr. Robert N. Celestial contacts Dr. Isaf Al-Nabulsi, senior study Director for BRER, January 2004
- Dr. W. Chris Perez, Dr. Wes Youngberg and Dr. Pablo Guzman submit letters to Dr. Isaf Al-Nabulsi requesting that Guam be included in RECA.
- February 2004, Dr. Isaf Al-Nabulsi sends invitation for Doctors and Mr. Celestial to the March 2004 BRER Hearing in Washington D.C.

Congresswoman Madeline M. Bordallo
Mr. Robert N. Celestial (PRHS, president)
Mr. William Brady (Health Physicist advisor)
Germen Fernandez (James Beaton)

Georgetown Office in Washington, D.C., March 2004



Dr. Jellani P. F. (Congressional Research Council)
Mr. Robert N. Celestial (pass, president)
Dr. Isaf Al-Nabulsi (Senior Study Director, ERRC Committee)



- Testimony before the Board on Radiation Effects Research Committee, at the National Academies of Science Building Washington, D.C.
- Mr. Robert N. Celestial submitted oral and written testimony that Guam was exposed to Radiation Fallout and that Guam should be included in the Radiation Exposure Compensation Program.

Documentation of Evidence submitted to the Board of Radiation Effects Research Committee

- Scientific studies and reports on ionizing radiation found on Guam during Pacific nuclear Testing.
- Sworn Testimony by Lt. Bert Schrieber USN retired. Gieger counters were off the scale during his readings on Guam detecting nuclear fallout.

Operation Crossroads Support ships and decontamination locations

Table 15. CROSSROADS support ships and decontamination locations (continued).

Support	Initial Departure	Final Arrival	Initial Departure	Operation and Arrival	Decontamination Location	Operation Location	Final Discharge
USS-1002	25 Aug 46	23 Sep 46	11 Oct 46	Base Pearl Harbor	Pearl Harbor	Midway	By 6 Jan 47
USS-1004	22 Aug 46	25 Aug 46	1 Sep 46	Base 16 Sep 46	Atsugi	24 Feb 47	Midway
USS-1004	25 Aug 46	26 Aug 46	1 Sep 46	Base 16 Sep 46	Atsugi	Midway	11 Dec 46 ^a
USS-1005 (CG-100) ^b		15 Apr 46	8 Sep 46	Task Force 38 25 Sep 46	Midway	Midway	By 20 Nov 46
USS-1006 (DD-100)	18 Aug 46			Base Pearl Harbor 22 Aug 46	San Francisco	6 Nov 46	By 1 Dec 1947
USS-1007	23 Aug 46	25 Aug 46	30 Aug 46	Carrier 1007	San Francisco	5 Dec 46	15 Dec 46
USS-1007	23 Aug 46	26 Aug 46	31 Aug 46	Base Pearl Harbor 5 Oct 46	San Francisco	25 Nov 46	27 Dec 46
USS-1008	24 Aug 46	25 Aug 46	1 Sep 46	Base Pearl Harbor 12 Sep 46	San Francisco	6 Oct 46	15 Dec 46
USS-1009	25 Jul 46	27 Jul 46	1 Aug 46	Base Pearl Harbor 28 Aug 46	San Francisco	Midway	By 22 Dec 46
USS-1010	22 Aug 46	27 Aug 46	31 Aug 46	Base Pearl Harbor 16 Sep 46	San Francisco	15 Dec 46	25 Dec 46
USS-1011	25 Jul 46	1 Aug 46	8 Aug 46	Base Pearl Harbor 28 Aug 46	Midway	16 Nov 46	22 Dec 46
USS-1012 (AGM-21) ^c	4 Sep 46	1 Sep 46	8 Sep 46	Base Pearl Harbor 19 Sep 46	San Diego	1 Jan 47	Midway

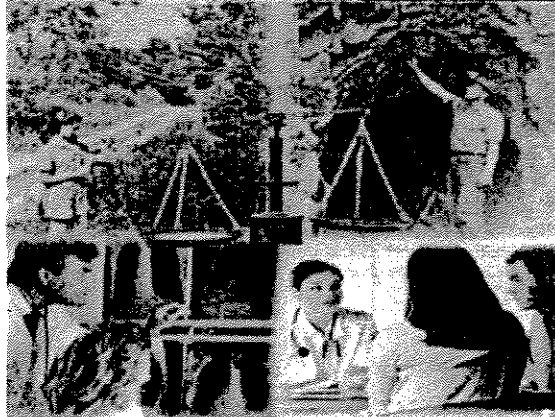
Notes:

- ^aReferenced from various sources.
- ^bShip not present at Midway for decontamination after CROSSROADS but for radiological work.
- ^cFrom Eschert.
- ^dBase CROSSROADS.

(Continued)

NATIONAL RESEARCH COUNCIL
OF THE NATIONAL ACADEMIES

ASSESSMENT OF THE SCIENTIFIC INFORMATION FOR THE RADIATION EXPOSURE SCREENING AND EDUCATION PROGRAM



Operation Ivy Mike Shot, Eniwetok Atoll, first Hydrogen Bomb
detonation in the Pacific. 10.4 Megatons
November 1, 1952.

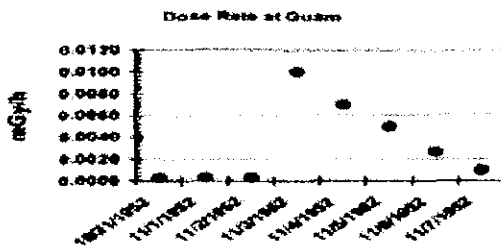


Figure C. 1. Data from aerial surveys in Guam before and after detonation of nuclear test Mike in Marshall Islands during Operation Ivy.

Integrating the dose rate over time produced a total effective dose to persons on the ground of about 0.6 mSv (60 and 70) from external gamma rays as a result of Fatima from tests. To put that into perspective, we have compared the results with the annual effective dose received from natural background radiation today, as shown in Figure C. 2.

Gummed Film Data 1954-1958

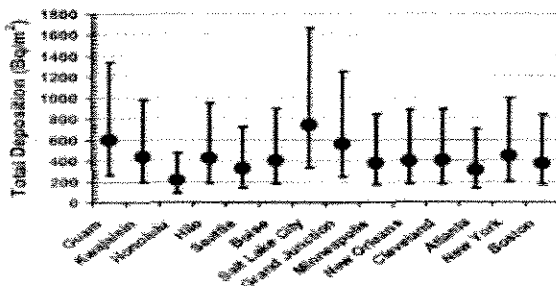


Figure C.4. Deposition of ¹³⁷Cs from 1954 to 1958 based on data collected at gummed-film stations in Pacific and locations in continental United States. Locations are ordered by longitude to provide rough estimate of distance from Guam.

Figure C.4 shows that Guam did receive radioactive debris from fallout during the nuclear-weapon testing in the Pacific Ocean. The vertical error bars are used in an attempt to show the sensitivity in the gummed-film measurements. They represent the 95% confidence limits based on a lognormal distribution with a geometric standard deviation of 1.3. Uncertainty in the gummed-film method for measuring fallout was probably much greater. The analysis demonstrates that fallout in Guam during that period was similar to that in other parts of the US and its territories.

An extensive radiologic monitoring program was conducted in Micronesia, including Guam. A report was published in 1975 (Nelson, 1975). In general, the data did not indicate that the concentrations of fission-product radioactivity in samples of soil or biota in Guam were greater than the concentration of naturally occurring radionuclides.

The pathway that is responsible for the largest collective doses from radioactive fallout is

conducted nuclear-weapon tests in areas other than the NTS, and populations exposed to fallout from these tests may also be considered as possible candidates for RECA compensation if Congress so chooses. The tests in question include the Tifinity test near Alamogordo, New Mexico, and the Pacific tests. Onsite participants in the tests are already included under RECA, but RECA coverage may be extended to the downwind populations in those areas.

Over the last several years, there has been a concern about the health effects associated with radioactive fallout that reached Guam during the testing of nuclear weapons in Micronesia. The Pacific Association for Radiation Survivors was formed. In 2002, a blue ribbon panel was authorized by the government of Guam, submitted the *Committee Action Report on Radioactive Contamination in Guam between 1946 and 1958*.

In March 2004, Robert Costantini provided written and oral testimony to the committee indicating that Guam did receive fallout from nuclear-weapon testing in the Pacific. He included suggestions from retired Navy Lt. Scott Scheibow, who testified that "the Geiger counters were off scale" in November 1952. In addition to this, various support ships deployed at Rikins Atoll during Operation Crossroads were sent to Guam and elsewhere for decontamination.

In April 2004, the congressional delegation from the Pacific Island Territory of Guam submitted a petition to Congress to amend RECA to include Guam in the jurisdiction of downwinders and onsite participants.

The committee initiated an independent assessment of the radiologic consequences related to the weapons tests in the Pacific to people living in Guam. The details of the assessment are presented in Appendix C.

Conclusions. As a result of its analysis, the committee concludes that Guam did receive measurable fallout from atmospheric testing of nuclear weapons in the Pacific. Residents of Guam during that period should be eligible for compensation under RECA in a way similar to that of persons considered to be downwinders.

The committee concludes that the available evidence does not show that the general population of Guam was subjected to unassessable radiation exposure resulting from the decontamination of naval vessels. Persons who have proof of their employment by a federal agency or its contractor in the process of decontaminating ships affected by fallout are already eligible for compensation as onsite participants under RECA.

Uranium Mining and Milling Materials Used for Construction or Other Purposes

The committee received testimony about the use of post-December 31, 1971, uranium mine tailings and overburden in home construction. The experience with the use of uranium mill tailings in construction of homes and other buildings in uranium mining areas indicates the potential hazard of this practice especially given that most people spend most of their time at

HR 3010-04

110th CONGRESS

1st Session

H. R. 3010

To amend the Radiation Exposure Compensation Act to include the Territory of Guam in the list of affected areas with respect to which claims relating to atmospheric nuclear testing shall be allowed, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

June 18, 2005

Mrs. BROWDER (for herself and the following 46) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Radiation Exposure Compensation Act to include the Territory of Guam in the list of affected areas with respect to which claims relating to atmospheric nuclear testing shall be allowed, and for other purposes.

As amended by the Senate and House of Representatives of the United States of America in Congress assembled

SECTION 1. DEFINITION OF AFFECTED AREA TO INCLUDE ADDITIONAL DOWNWIND AREA EXPOSED TO RADIATION.

Section 4(b)(1) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 (b)(1)) is amended—

(1) by striking out at the end of subparagraph (B), and

(2) by adding at the end the following:

(C) the Territory of Guam; and

SEC. 2. ELIGIBLE TO FILE A CLAIM BASED ON PRESENCE DURING PERIOD OF TESTING.

(1) Clause (B) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 (b)(1)) is amended—

(1) in subsections (1) and (2), by striking out (B) in subparagraph (A), (B), or (C) of subsection (B) if other affected area;

Majority Sponsor: Representative BROWDER (R-CA-04) (50004477)

110-200

HR 3379-1H

110th CONGRESS

1st Session

H. R. 3379

To amend the Radiation Exposure Compensation Act to include the Territory of Guam in the list of affected areas with respect to which claims relating to atmospheric nuclear testing shall be allowed, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

August 5, 2007

Ms. BROWDER (for herself) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Radiation Exposure Compensation Act to include the Territory of Guam in the list of affected areas with respect to which claims relating to atmospheric nuclear testing shall be allowed, and for other purposes.

As introduced by the Senate and House of Representatives of the United States of America in Congress assembled

SECTION 1. DEFINITION OF AFFECTED AREA TO INCLUDE ADDITIONAL DOWNWIND AREA EXPOSED TO IONIZING RADIATION (NUCLEAR FALLOUT).

Section 4(b)(1) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 (b)(1)) is amended—

(1) by striking out at the end of subparagraph (B), and

(2) by adding at the end the following:

(C) the Territory of Guam; and

SEC. 2. FINDINGS.

Congress finds the following

that there is growing concern about the health of the people of Guam

110-200

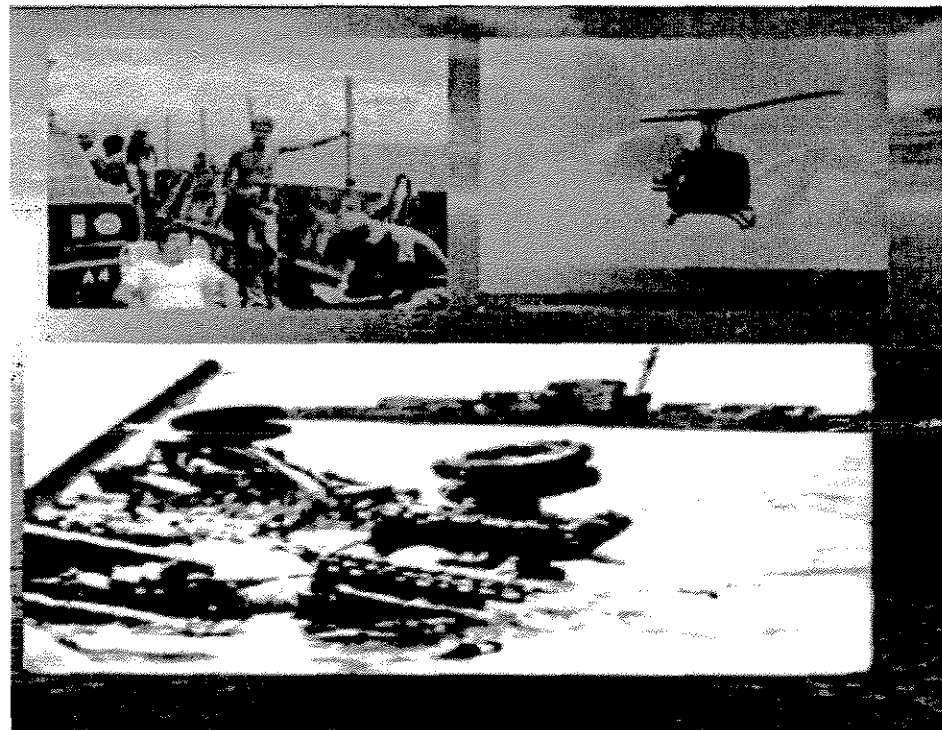
Radioactive Half-life

• Examples of radioactive half-lives

• Uranium238	4.5 billion years
• Carbon14	5730 years
• Radium226	1602 years
• Cesium137	30.14 years
• Strontium90	28.6 years
• Iodine131	8.02 days
• Radon222	3.8 days

• Onsite Participants

• Enewetak Atoll Clean up 1977-1978

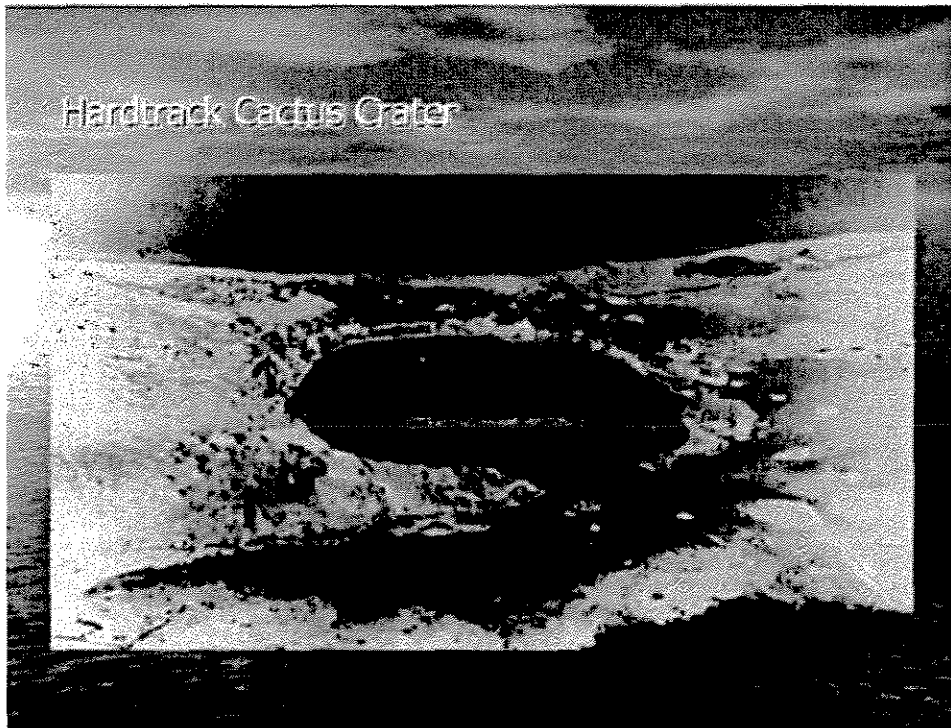


Test: Cactus Location: Raint (Wornet Island) Brewerok
Yield: 18.6107oz Date: May 8, 1958 (Jozoff)

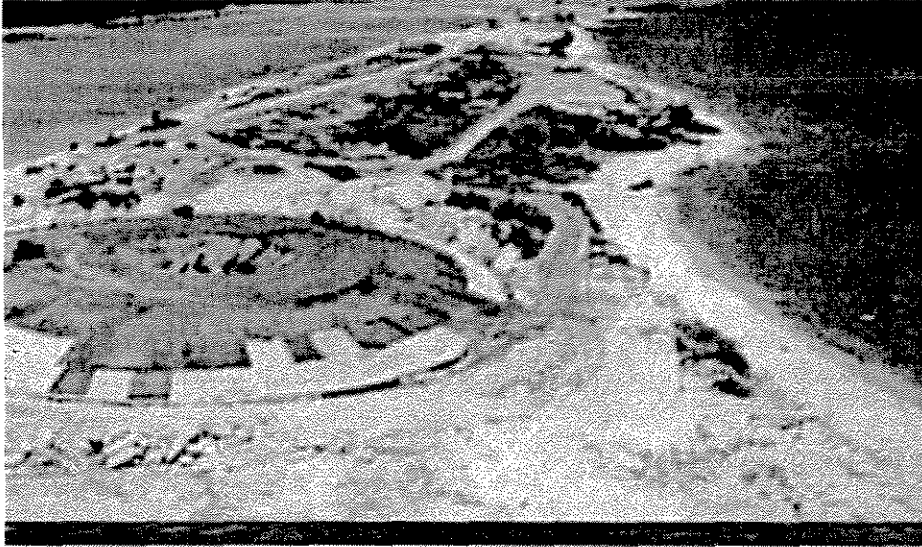
HARDTRACK I Cactus Surface Phot



Hardtrack Cactus Crater

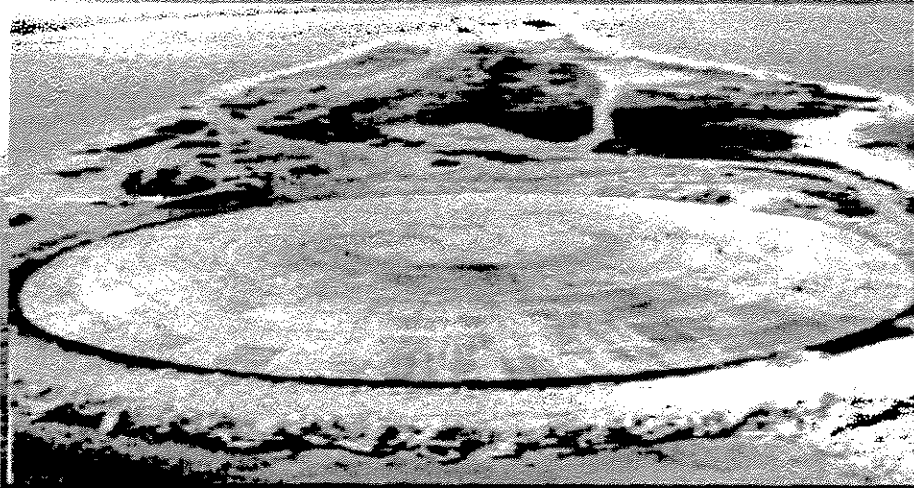


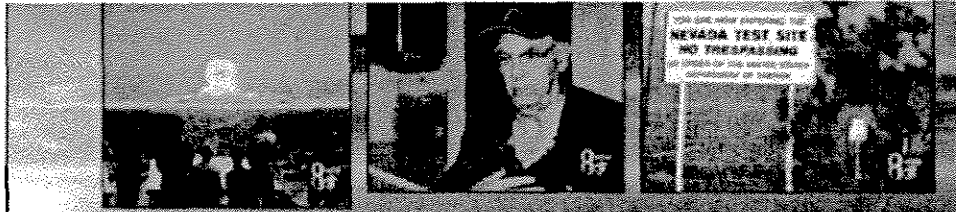
Colored photo of Runit Island and the Dome



Choice Point completed: Outside the dome was tested and still has readings of Cesium 137, and plutonium

Runit Island, Eniwetok Atoll





- Hundreds of sick and dying workers from the Nevada Test site are hopeful they'll be compensated for their illnesses now that Senator Harry Reid has offered new legislation.
- Reid's bill, which was introduced Thursday, would expand eligibility for those who may have contracted cancer because of exposure to radiation.
- The bill comes during a time when there has been a lot of talk about the problems it doesn't address.
 - "It just seems to me when you get over one hurdle there's another one waiting. You know, they just don't want to finish the thing, and in my opinion they just hope you die and go away," Jay Slaughter stated.
 - Slaughter stepped out tonight after undergoing tests were set up at the Nevada Test Site. He personally witnessed several exposures. As the first on the scene, Slaughter was exposed to alpha radiation and toxic chemicals.
 - His doctors say the radiation left him with two different types of cancer. These doctors mean him two years to live. That was a year ago, and it's obvious by looking at him that Slaughter's clock is ticking. He knows the doctors that he will receive compensation are growing thinner by the day.
 - "I haven't been feeling well at all. So, I don't know if they're growing and they're doing something. I know that the tumors are growing and eating back. I know that," he continued.
- Nevada Senator Harry Reid says his new legislation will help Slaughter and hundreds

710 pigs were exposed to shot Priscill; all died from blast and radiation.

A minefield to be exposed to atom blast. later pictures showed all were detonated.

Alrahip to be used in structural studies for 1958 Hardtack atomic anti-submarine tests.

The End

LEOCADIA T. ATOIGUE
2024 s. Baldwin #84
Mesa, AZ 85209

April 21, 2015

The Honorable Judith T. Won Pat
Speaker, 33rd Guam Legislature
155 Hesler Street, Suite 201
Hagatna, Guam 96910

Dear Speaker Won Pat:

I appreciate your service to the people of Guam and most especially, for your efforts in addressing the Radiation Exposure Compensation Act.

I currently live in Mesa, Arizona, and am unable to attend the hearing so please accept my written testimony attached.

Sincerely,

Leocadia T. Atoigue

Testimony of
Mrs. Leocadia T. Atoigue

April 21, 2015

Madam Speaker and Members of the Committee:

Thank you for the opportunity to present my written testimony regarding the Radiation Exposure Compensation Act (RECA) of 1990. My interest in RECA is as strong today as it was about 10 years ago when I testified at a RECA hearing in Window Rock, Arizona.

At the behest of Robert Celestial, President of the Pacific Association for Radiation Survivors, I testified in front of a congressional subcommittee held at the Navajo Nation hearing in Window Rock, Arizona in 2005. Unfortunately, I am unable to locate a copy of this testimony; however, as I recall, I expressed that the U.S. Government should acknowledge and compensate the people of Guam who were affected by the nuclear testing conducted by the U.S. in the Pacific in the 1940s through the 1960s.

I was born and raised on Guam, 3rd of 4 biological children born to Chamorro parents. We were the average Chamorro family – mother was a teacher and later a businesswoman, and father did a short stint in the Army as a U.S. soldier in the Korean war, and then worked for the Navy, first as a helper and then as a firefighter where he retired.

In 1997, at the age of 35 I was diagnosed with Stage 4 inoperable esophageal cancer. My husband and 4 kids accompanied me to California where we lived for the next 6 months so that I could receive chemotherapy and radiation treatments. I then returned back to Guam to receive another 2 months of chemotherapy. A year later I had to go to Hawaii to receive hyperbaric treatment to address my damaged teeth caused by the radiation

treatment. As you can probably imagine, these initial years of treatment was excruciatingly difficult on me and by extension, my family. I have been in remission since 1999 but continue to experience the adverse effects of the chemotherapy and radiation treatments I received.

In 2004, my dad was diagnosed with lung cancer but refused to receive any medical intervention as he had seen too many people suffer as a result of these medical interventions. He wanted to live as God had planned for him. Five years later my dad passed away.

Two years after my dad's passing, in 2011, my oldest brother was diagnosed with metastatic colon cancer. Each year since his diagnosis he has had to endure surgery, chemotherapy, and radiation to try to control the cancer. He has not been declared cancer free yet but we are praying that this will happen soon.

In 2012 my mother passed away although not as a direct result of cancer. She developed a suspect tumor in her breast shortly before her passing.

I am very thankful that my other 2 siblings do not have cancer, and I pray that they never experience what my parents, brother, and I have experienced with cancer.

I am neither a woman of education, nor of means, but one thing I do know is that it cannot be pure coincidence that 4 members of my immediate family and many of my relatives have been stricken by cancer – many have died and some, like me, are still alive today to tell our story.

Similar to the peoples of Arizona, New Mexico, Nevada and Utah who suffered cancer and other illnesses as a result of U.S. nuclear testing, the people of Guam too, deserve to be compensated for the suffering caused by the U.S. Government.

Speaker Won Pat, thank you for holding this hearing today and for taking a personal interest in the Radiation Exposure Compensation Act and its implications on the people of Guam.



COMMITTEE ON RULES

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E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

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MAJORITY LEADER

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Mary C. Torres
MINORITY MEMBER

March 19, 2015

MEMORANDUM

To: **Rennae Meno**
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Rory J. Respicio**
Majority Leader & Rules Chair

Subject: **Referral of Resolution No. 39-33 (LS)**

As Chairperson of the Committee on Rules, I am forwarding my referral of Resolution No. 39-33 (LS). Please ensure that the subject resolution is referred, in my name, to the respective sponsor, as shown on the attachment.

I also request that the same be forwarded to all Senators of *I Mina'trentai Tres Na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os ma'åse!

(1) Attachment

I Mina Trentai Tres Na Liheslaturan Guåhan
Resolutions Log Sheet

Resolution No.	Sponsor	Title	Date Intro	Date of Presentation	Date Referred	Committee / Ofc Referred	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	Date Adopted
39-33 (LS)	Judith T. Won Pat, Ed.D. T. R. Muña Barnes B. J.F. Cruz	Relative to petitioning the United States Congress to amend the Radiation Exposure Compensation Act of 1990 to include Guam and to improve and increase compensation for those affected by ionizing radiation.	03/19/15 9:51 a.m.	SUB	3/19/2015	The SPONSOR			



Carl Sanchez <carlsanchez@judiwonpat.com>

Public Hearing Notice

Carl Sanchez <carlsanchez@judiwonpat.com>
To: phnotice@guamlegislature.org

Thu, Apr 16, 2015 at 2:41 PM

April 16, 2015

MEMORANDUM

To: Members of the 33rd Guam Legislature, Media, and Stakeholders

From: The Office of Speaker Judith T. Won Pat, Ed.D.

Subject: Notice of Public Hearing

Speaker Judith T. Won Pat, Ed.D. will be conducting a public hearing on Thursday April 23, 2015 at 2 p.m. in the Public Hearing Room of the Guam Legislature building on the following items:

- Resolution No. 52-33 (COR) "Relative to urgently petitioning the United States Congress to increase the annual appropriation for compact-impact aid from Thirty Million Dollars (\$30,000,000) to One Hundred Eighty-Five Million Dollars (\$185,000,000) to help defray the cost of services as a result of an increased demand for health, educational, social, and public safety services; and for infrastructure related to such services, due to the residency of migrants from the Freely Associated States in affected jurisdictions."
- Resolution No. 39-33 (COR) "Relative to petitioning the United States Congress to amend the Radiation Exposure Compensation Act of 1990 to include Guam and to improve and increase compensation for those affected by ionizing radiation."

Testimonies should be addressed to Speaker Judith T. Won Pat, Ed.D. and will be accepted via hand delivery at the Speaker's office; Speaker's mailbox at the reproduction room of the main Legislature building at 155 Hesler Place, Hagåtña, Guam 96910; or fbtorres@judiwonpat.com or through facsimile at 472-3589. Resolution No. 52-33

(COR) and Resolution No. 39-33 (COR) are available for review at www.guamlegislature.org.

The Guam Legislature complies with provisions of the Americans with Disabilities Act (ADA). Individuals requiring special accommodations or services should contact Mr. Ed Pocaigue at 472-3586/7/8 or by email atedpocaigue@judiwonpat.com.

Carl C. Sanchez, MPA
Staff Assistant
Office of Speaker Judith T. Won Pat Ed.D.
Hagatna, Guam 96910
Tel: (671) 472-3586
Fax: (671) 472-3589

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Carl Sanchez <carlsanchez@judiwonpat.com>

2nd Notice of Public Hearing

Carl Sanchez <carlsanchez@judiwonpat.com>
To: phnotice@guamlegislature.org

Mon, Apr 20, 2015 at 12:01 PM

April 20, 2015

MEMORANDUM

To: Members of the 33rd Guam Legislature, Media, and Stakeholders

From: The Office of Speaker Judith T. Won Pat, Ed.D.

Subject: 2nd Notice of Public Hearing

Speaker Judith T. Won Pat, Ed.D. will be conducting a public hearing on Thursday April 23, 2015 at 2 p.m. in the Public Hearing Room of the Guam Legislature building on the following items:

- Resolution No. 52-33 (COR) "Relative to urgently petitioning the United States Congress to increase the annual appropriation for compact-impact aid from Thirty Million Dollars (\$30,000,000) to One Hundred Eighty-Five Million Dollars (\$185,000,000) to help defray the cost of services as a result of an increased demand for health, educational, social, and public safety services; and for infrastructure related to such services, due to the residency of migrants from the Freely Associated States in affected jurisdictions."
- Resolution No. 39-33 (COR) "Relative to petitioning the United States Congress to amend the Radiation Exposure Compensation Act of 1990 to include Guam and to improve and increase compensation for those affected by ionizing radiation."

Testimonies should be addressed to Speaker Judith T. Won Pat, Ed.D. and will be accepted via hand delivery at the Speaker's office; Speaker's mailbox at the reproduction room of the main Legislature building at 155 Hesler Place, Hagåtña, Guam 96910; or fbtorres@judiwonpat.com or through facsimile at 472-3589. Resolution No. 52-33

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Updated as of March 25, 2015

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Updated as of March 25, 2015

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AGENDA

**CHAIR, COMMITTEE ON HIGHER EDUCATION, CULTURE,
PUBLIC LIBRARY & WOMEN'S AFFAIRS**

**Judith T. Won Pat, Ed.D.
Speaker**

**Public Hearing
Thursday, April 23, 2015, 2:00 p.m.**

Public Hearing Room

The following will be heard by the Committee:

- Resolution No. 52-33 (COR) "Relative to urgently petitioning the United States Congress to increase the annual appropriation for compact-impact aid from Thirty Million Dollars (\$30,000,000) to One Hundred Eighty-Five Million Dollars (\$185,000,000) to help defray the cost of services as a result of an increased demand for health, educational, social, and public safety services; and for infrastructure related to such services, due to the residency of migrants from the Freely Associated States in affected jurisdictions."
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