

**I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN**  
**2006 (SECOND) Regular Session**

**Resolution No. 138(EC)**

As amended on the Floor.

Introduced by:

Mark Forbes

B. J.F. Cruz

A. R. Unpingco

F. B. Aguon, Jr.

J. M.S. Brown

Edward J.B. Calvo

Mike Cruz

L. F. Kasperbauer

R. Klitzkie

J. A. Lujan

A. B. Palacios, Sr.

R. J. Respicio

Ray Tenorio

J. T. Won Pat

**Relative to supporting the passage of H.R. 4259, otherwise known as the “Veterans’ Right to Know Act” and other similar acts pending before the Congress of the United States, and to asking for the inclusion of Guam veterans, veterans who served in Guam, and the people of Guam in any studies forthcoming pursuant to this Act, or other acts, as appropriate, and to the establishment of the “Guam Right to Know Commission” by *I Liheslaturan Guahan*.**

1           **BE IT RESOLVED BY *I MINA'BENTE OCHO NA LIHESLATURAN***  
2 ***GUÅHAN*:**

3           **WHEREAS, H.R. 4259, the “Veterans’ Right to Know Act”, has been**  
4 **introduced into the 109<sup>th</sup> Congress; and**

1           **WHEREAS**, H.R. 4259 will establish a commission known as the “Veterans’  
2 Right to Know Commission”; and

3           **WHEREAS**, in general, the duties of the commission shall be:

4           (1) to investigate chemical or biological warfare tests or projects,  
5 especially those carried out between 1954 and 1973, emphasizing actions or  
6 conditions associated with such projects that could have contributed to health  
7 risks or harmed any United States civilian personnel or member of the United  
8 States Armed Forces who participated in such a project or was otherwise  
9 potentially exposed to any biological or chemical agent, stimulant, tracer,  
10 decontaminant, or herbicide as result of such projects; and

11           (2) to submit a report to Congress of its findings and recommendations;  
12 and

13           **WHEREAS**, in carrying out H.R. 4259, the Commission would specifically  
14 examine the following:

15           (1) classified and unclassified data, test operations plans, safety plans,  
16 test reports, test results, and any other materials related to a chemical or  
17 biological warfare test or project;

18           (2) the types and dosages of any biological or chemical agent, including  
19 any stimulant, tracer, decontaminant, pharmaceutical, or herbicide, used during  
20 each chemical or biological warfare test or project;

21           (3) information related to the personal protection of participants in each  
22 chemical or biological warfare test or project, including respiratory equipment,  
23 clothing, citadel systems, vaccinations, and safety and medical protocols;

24           (4) the lists provided to the Department of Veterans Affairs by the  
25 Department of Defense of names of individuals who participated in each  
26 chemical or biological warfare test or project, the method by which such names

1 were provided, and any other information relating to the number of individuals  
2 who participated in such a project or who were otherwise potentially exposed  
3 to any biological or chemical agent, stimulant, tracer, decontaminant,  
4 pharmaceutical, or herbicide as a result of such project;

5 (5) the date and location of any land, air, or sea test conducted as part of  
6 any chemical or biological warfare test or project and the dispersal area likely to  
7 have been affected by the release of a chemical or biological agent, stimulant,  
8 tracer, decontaminant, pharmaceutical, or herbicide during the tests; and

9 (6) any available data collected during health screenings or cause of death  
10 determinations performed on any individual who participated in a chemical or  
11 biological warfare test or project to determine any possible health consequences  
12 of such participation; and

13 **WHEREAS**, Guam has been for many years a major United States military  
14 base area, especially during the period of the Cold War; and

15 **WHEREAS**, there have been reports of Agent Orange storage and spraying in  
16 Guam that need to be verified and documented, and that Agent Orange has already  
17 been determined to pose a verifiable health risk to persons exposed to it; and

18 **WHEREAS**, all veterans and the public have a right to be informed about the  
19 issues that will be within the purview of this Commission, either for the purpose of  
20 transparency where issues may exist, or relief where issues do not; now, therefore, be  
21 it

22 **RESOLVED**, that *I Mina' Bente Ocho Na Liheslaturan Guahan* does support  
23 the passage of H.R. 4259 in the United States Congress, otherwise known as the  
24 "Veterans' Right to Know Act"; H.R. 4739, an act to provide compensation to  
25 individuals who, during the Vietnam conflict, were employees of the Federal  
26 Government or contractor employees of the Department of Defense and suffered

1 disability or death from exposure to Agent Orange; and the efforts of Senator Akaka  
2 to enact a bill to establish the Veterans Harmful Exposure and Treatment  
3 Commission; and be it further

4 **RESOLVED**, that any information within the purview of the Commission  
5 established by the various federal acts that is of importance to veterans from Guam  
6 who served in other areas, veterans who served in Guam, and the people of Guam  
7 should be released where de-classified and de-classified where currently classified so  
8 that information may be released and included in the federal commission's  
9 investigation and report; and be it further

10 **RESOLVED**, that there be established by and within *I Liheslaturan Guahan*  
11 the "Guam Right To Know Commission." Said Commission shall be responsible for  
12 conducting studies, gathering information, receiving testimony and interviews and  
13 otherwise investigating, compiling and disseminating, to the best of its ability, all  
14 information pertinent and relative to the storage, disposal, use and exposure of all  
15 persons in Guam to dangerous chemicals, compounds and substances maintained or  
16 used by the military in Guam during the period after WW2 to the present day. The  
17 Commission shall consist of the Speaker, the Chairperson of the Committee with  
18 oversight over military and veterans affairs, the Chairperson of the Committee with  
19 oversight over health issues, the Chairperson of the Committee with oversight over  
20 environmental issues, the Minority leader, and one member of the minority designated  
21 by the Minority leader, and three members of the community to be appointed by the  
22 Speaker, at least one of whom is a medical doctor. Any financial needs of said  
23 Commission shall be met by the existing budget of *I Liheslaturan Guahan*, subject to  
24 the transfer and allocation provisions contained in the standing rules; and be it further

25 **RESOLVED**, that the Speaker certify, and the Secretary of the Legislature  
26 attest to, the adoption hereof, and that copies of the same be thereafter transmitted to


1 the Honorable Madeleine Z. Bordallo, Guam's Delegate to Congress; to Congressmen  
2 Mike Thompson and Dennis R. Rehberg of the United States House of  
3 Representatives; to the Honorable J. Dennis Hastert, Speaker of the United States  
4 House of Representatives; and to the Honorable Felix P. Camacho, *I Maga'laha*  
5 *Guåhan*.

**DULY AND REGULARLY ADOPTED BY *I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN* ON THE 30<sup>TH</sup> DAY OF MAY 2006.**



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**MARK FORBES**  
Speaker



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**EDWARD J.B. CALVO**  
Senator and  
Secretary of the Legislature