

*I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN*  
2008 (SECOND) REGULAR SESSION

2008 JUL 25 PM 3:52

Resolution No. 172(EC)

Introduced by:

B.J.F. Cruz  
T.R. Muña Barnes  
J.P. Guthertz  
R.J. Respicio

Relative to expressing the support of *I Mina'Bente Nuebi Na Liheslaturan Guåhan* for the Agent Orange Equity Act introduced by the Honorable Congressman Bob Filner (D-CA) in United States House of Representatives on July 23, 2008, clarifying the qualifications necessary for those with illnesses contracted due exposure to qualify for additional veterans benefits by mandating the inclusion of those members of the armed forces exposed while not explicitly on land, and to respectfully request that Guam and other areas in the theater of operations for the Vietnam War in which Agent Orange was stored and transshipped should be added to the list of areas in which military and civilian employees who were exposed to Agent Orange may qualify for additional benefits.

1 BE IT RESOLVED BY I MINA'BENTE NUEBI NA LIHESLATURAN

2 GUAHAN:

3 WHEREAS, since the United States government began allowing the  
4 people of Guam to become members of the United States armed forces, a  
5 tradition of service has grown among the young adults of our island, and  
6 many Guamanians have distinguished themselves by serving their  
7 country, island and people with great distinction; and

8 WHEREAS, the people of Guam strongly support all of the many  
9 veterans of American wars, and our island has the singular distinction of

1 having suffered more casualties on a per capita basis than any other  
2 territory, state or insular area of the United States in both the Korean  
3 conflict and the Vietnam War; and

4       **WHEREAS**, it has been confirmed by the Agent Orange Act of 1991,  
5 Public Law 102-4, that there exists a correlation between certain herbicide  
6 agents containing dioxin or 2,4-dichlorophenoxyacetic acid, such as Agent  
7 Orange, and diseases later contracted by veterans of the Vietnam War; and

8       **WHEREAS**, the Agent Orange Act of 1991 defines the scope of  
9 eligibility for compensation to include all of those who were in active  
10 military, naval or air service in the Republic of Vietnam during the use of  
11 the herbicide Agent Orange; and

12       **WHEREAS**, current United States Veterans' Administration (VA)  
13 procedures require Vietnam veterans to prove they have placed a foot on  
14 land during the Vietnam War to qualify as victims of Agent Orange  
15 exposure; and

16       **WHEREAS**, such VA procedures have resulted in an unjustified  
17 withholding of benefits for "blue-water" veterans who served at sea off the  
18 coast of Vietnam and airmen who served in the skies above the Republic of  
19 Vietnam; and

20       **WHEREAS**, the VA procedures have also resulted in an unjustified  
21 withholding of benefits for military and civilian workers in staging areas

1 for the Vietnam War such as Guam through which military personnel,  
2 equipment, munitions and supplies, including herbicides containing Agent  
3 Orange were shipped; and

4       **WHEREAS,** both military and civilian personnel handled  
5 transshipment of these goods and although the Department of Defense has  
6 never officially admitted to storing and using Agent Orange and other  
7 herbicides on Guam, a Dow Chemical Corporation's report has disclosed a  
8 huge amount of dioxin contamination at Andersen Air Force Base (AAFB)  
9 in Guam; and

10       **WHEREAS,** in the August 9, 2007 issue of the Marianas Variety it  
11 was reported that "At least two successful applications for benefit claims  
12 filed by veterans deployed to Guam constituted the VA's virtual  
13 acknowledgement of the use of defoliants on island. In March (of 2007), the  
14 VA approved the benefits claim filed by Robert L. Burgett, a Vietnam War  
15 veteran who developed cancer of the larynx, eventually causing his speech  
16 disability, as a result of his direct exposure to Agent Orange when he was  
17 stationed at AAFB between 1968 and 1969. He received a full grant of  
18 benefits;" and

19       **WHEREAS,** The Marianas Variety report went on to state that "In  
20 2005, the U.S. Court of Appeals for Veterans ruled in favor of an  
21 unidentified airman who was determined to have developed diabetes

1 mellitus as a result of his exposure to defoliants while he was deployed on  
2 duty at AAFB from December 1966 to October 1968;" and

3 **WHEREAS**, the proposed Agent Orange Equity Act will correct  
4 injustice, clarify eligibility and expedite the processing of veteran claims of  
5 health conditions caused by Agent Orange exposure for certain veterans by  
6 mandating the inclusion of those members of the armed forces who were  
7 deployed in the Republic of Vietnam war zone who should be entitled to  
8 compensation for such developed diseases as can be linked to Agent  
9 Orange exposure and receive the benefits to which they are entitled; and

10 **WHEREAS**, the proposed Agent Orange Equity Act should also  
11 correct injustice, clarify eligibility and expedite the processing of claims of  
12 health conditions caused by Agent Orange exposure in areas in which  
13 direct exposure was proven to have taken place, such as Guam; now,  
14 therefore, be it

15 **RESOLVED**, that *I Mina'Bente Nuebi Na Liheslaturan Guahan*, does  
16 hereby, on behalf of the people of Guam, expresses its strong support for  
17 resolving the numerous health care needs of the many veterans of  
18 American military service who live in Guam; and be it further

19 **RESOLVED**, that *I Mina'Bente Nuebi Na Liheslaturan Guahan*, does  
20 hereby, on behalf of the people of Guam, expresses support of the Agent  
21 Orange Equity Act introduced by the Honorable Congressman Bob Filner

1 in United States House of Representatives on July 23, 2008 that seeks to  
2 correct injustice, clarify the eligibility of affected veterans, and expedite the  
3 processing of veteran claims of health conditions caused by Agent Orange  
4 exposure; and be it further

5       **RESOLVED**, that *I Mina'Bente Nuebi Na Liheslaturan Guahan*, does  
6 hereby, on behalf of the people of Guam, respectfully requests that the  
7 Congress of the United States correct injustice and amend the Agent  
8 Orange Equity Act to include Vietnam War staging areas such as Guam, for  
9 which evidence exists that Agent Orange exposure has taken place; and be  
10 it further

11       **RESOLVED**, that the Speaker and the Chairperson of the Executive  
12 Committee certify, and the Secretary of the Legislature attest to, the  
13 adoption hereof, and that copies of the same be thereafter transmitted to  
14 Fred Gofigan, Administrator of the Guam Office of Veterans Affairs; to the  
15 Guam Veterans Commission; to the Secretary of the Department of the  
16 Interior Dirk Kempthorne; to the Secretary of the Department of Veterans  
17 Affairs James B. Peake; to Acting Deputy Assistant Secretary for Insular  
18 Affairs Doug W. Domenech; to the Honorable Judith T. Won Pat, Speaker, *I*  
19 *Mina'Bente Nuebi Na Liheslaturan Guáhan*; to the Honorable Madeleine Z.  
20 Bordallo, Guam Delegate to Congress; to the Honorable Congressman Bob  
21 Filner, Chairman of the House Committee on Veteran's Affairs; to the

1 Honorable Mitch McConnell, Senate Minority Leader; to the Honorable  
2 Congressman John Boehner, House Minority Leader; to the Honorable  
3 Robert Byrd, President Pro Tempore of the United States Senate; to the  
4 Honorable Nancy Pelosi, Speaker of the United States House of  
5 Representatives; to the Honorable George W. Bush, President of the United  
6 States; and to the Honorable Felix P. Camacho, *I Maga'Lahen Guåhan*.

**DULY AND REGULARLY ADOPTED BY THE EXECUTIVE  
COMMITTEE OF I MINA'BENTE NUEBI NA LIHESLATURAN  
GUÅHAN ON THE DAY OF JULY, 2008.**